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# HEARINGS

BEFORE

## SUBCOMMITTEE

OF

*U.S. Congress.*

HOUSE COMMITTEE ON APPROPRIATIONS,

CONSISTING OF

MESSRS. CANNON, —, BARNEY, LIVINGSTON,  
AND ALLEN,

IN CHARGE OF

DEFICIENCY APPROPRIATIONS FOR 1899 AND PRIOR YEARS.

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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
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## HEARINGS

ON THE

# GENERAL DEFICIENCY APPROPRIATION BILL.

HEARINGS CONDUCTED BY THE SUBCOMMITTEE, MESSRS. J. G. CANNON (CHAIRMAN), S. S. BARNEY, L. F. LIVINGSTON, AND JOHN M. ALLEN, OF THE COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, IN CHARGE OF THE GENERAL DEFICIENCY APPROPRIATION BILL FOR 1899 AND PRIOR YEARS.

COMMITTEE ON APPROPRIATIONS,  
*February 11, 1899.*

The subcommittee of the Committee on Appropriations, having under consideration the general deficiency bill, this day met, Hon. Joseph G. Cannon in the chair.

STATEMENT OF MR. WILLIAM A. JONES, COMMISSIONER OF INDIAN AFFAIRS, ACCOMPANIED BY MR. L. S. SMITH, MR. S. E. SLATER, AND MR. TAMS BIXBY.

(See House Doc. No. 89, Fifty-fifth Congress, third session; also, Senate Doc. No. 33, Fifty-fifth Congress, third session.)

The CHAIRMAN. First, I want to ask you in a general way, under this Curtis law, as I understand it, and the various agreements which have been made, the United States, through the Secretary of the Interior, administers that government?

Mr. JONES. Yes, sir.

The CHAIRMAN. Touching all matters?

Mr. JONES. Touching all matters.

Mr. SMITH. Except under the agreement, section 29, and only in reference to the royalties from asphalt, coal, and school matters of those two nations. The agreement in section 29 continues the tribal government for eight years, except as modified by that agreement, and in that agreement it expressly provides that the royalties from asphalt and coal shall be collected under the direction of the Secretary of the Interior and applied to the education of Indian children.

The CHAIRMAN. And the Secretary of the Interior administers that?

Mr. JONES. Yes, sir; he does all the administering.

The CHAIRMAN. That comes from the agreement with the Choctaws and Chickasaws?

Mr. SMITH. So far as the mineral is concerned, except under the Curtis law, under section 13, he has the right to lease out the mines or mineral lands in all those nations which have no agreements.

The CHAIRMAN. Is that right being exercised?

Mr. JONES. It is being suspended now until the question of the ratification of the recent agreement, which was concluded on the 14th day of January, shall be determined by Congress. If that shall be determined and ratified, then the mineral of that nation goes to the individual allottee.

The CHAIRMAN. That is the Cherokee?

Mr. SMITH. That is the Cherokee.

The CHAIRMAN. If that agreement is not ratified, then the Secretary of the Interior will probably take possession of the mines, collect the royalties, and apply them to the educational fund?



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tering the government in the Indian Territory; so that it seems to me it draws us down to the mere question now of what money you need, if any, under this Curtis law and treaties with these people, and why you need it?

Mr. JONES. Mr. Chairman, if you will allow me just a moment. The only sources of revenue, as I understand it, are royalties from the coal fields, as Judge Smith says, and that is devoted to school purposes in these Choctaw and Chickasaw nations. The Cherokees have no source of revenue except the interest on the trust funds here. They have a tribal law now through which they collect what is called a permit tax, so much a head, a certain amount on the sales of merchants there in the Territory, which, as I understand, is done away with if the treaty is ratified, and they have no revenue whatever when this treaty is ratified, but they have the interest on the fund here, \$42,000, \$30,000 of which they are willing to appropriate for school purposes and \$12,000 for the purpose of keeping up some asylums and some other special schools.

The CHAIRMAN. That can be done without legislation?

Mr. JONES. Exactly; and as far as the administration part of the government down there is concerned there is no money whatever which is available from the tribe.

The CHAIRMAN. You mean now you have got to collect these royalties?

Mr. JONES. Yes.

The CHAIRMAN. Can not you pay for the collection of those royalties out of the amount collected?

Mr. JONES. That is it exactly, and we propose to do that. We are not asking you anything for that purpose. We are simply asking you for an amount here for the purpose of carrying on the administration of the government. It is really a Territorial government. We have an inspector down there, who is practically the governor, under the direction of the Secretary of the Interior, and he is paid from the general fund, as the Indian inspectors.

The CHAIRMAN. And all that under the existing legislation?

Mr. JONES. Yes; it is provided for. We do not ask anything for school purposes unless the deficiency, which is in the Cherokee branch, is such we can not carry on the schools. What the treaty provides is that the General Government is to turn over \$30,000, which, with their \$30,000, makes \$60,000, which I doubt is sufficient to run the schools. Still we are not asking anything, as far as that is concerned. We are only asking now for a sufficient amount to pay the clerks.

The CHAIRMAN. Probably that appropriation would come when the treaty is ratified with the Cherokees hand in hand with it?

Mr. JONES. Yes; we are not presenting that matter to you now at all.

The CHAIRMAN. That gives me an idea about this thing which I ought to have known about; but this brings us down to the exact matter of what you want. You say your inspector down there is equivalent to a governor?

Mr. JONES. Yes, sir; and is provided for now. We are not asking anything for him, because we provide for that, and are paying him now.

The CHAIRMAN. Why can not you employ necessary clerical assistance in the same way?

Mr. JONES. We have no means for that. This is a makeshift now, and we are simply using the force we have now, and it is not sufficient. There are only some two or three clerks with the agent to run the agency. We are simply using them as a makeshift there until we get some fund to get some more clerks.

The CHAIRMAN. That is to say, if you had money enough from these revenues under this legislation it seems to me you could employ your clerical force. It is the want of money with you?

Mr. JONES. That is it, and also we have not the authority to divert it for that purpose, as we understand it.

The CHAIRMAN. This legislation is broad enough to enable you to exercise police powers, and it seems to me clerks are mere incidents, the same as the inspectors are mere incidents and educational people are mere incidents. This law does not say how many inspectors or anything else shall be employed, does it?

Mr. JONES. Yes; it says in the increased number of inspectors. Last year you increased them five to eight, and specified one of those must be located in the Indian Territory.

The CHAIRMAN. I am speaking of the Curtis law.

Mr. JONES. That is in the Curtis law.

The CHAIRMAN. He exercises his jurisdiction there under regulations made by the Secretary of the Interior?

Mr. JONES. Yes, sir.

The CHAIRMAN. Let us see what this says. (Reading from p. 3 of Senate Doc. No. 33.)

Mr. JONES. In those items there the salaries and expenses of the revenue inspectors to June 30 next ought to go out, and also salary and expenses of two school supervisors to June 30 next.

The CHAIRMAN. That is, you have organized this division and can detail people to do this work, and it is a mere question of having enough clerks?

Mr. JONES. Yes, sir; after the 1st of July that is all provided for, Mr. Cannon; it is in the legislative bill.

The CHAIRMAN. The legislative bill cares for them—

Mr. JONES. Except from now to June 30.

The CHAIRMAN. And what you want to be cared for here is to be cared for the remainder of this year just as you are cared for in the legislative bill?

Mr. JONES. Yes, sir; that is it exactly.

The CHAIRMAN. For salaries and expenses of town-site commissioners you have got to have for the remainder of this year \$30,000?

Mr. JONES. No, sir; that is the total amount. That is expected to finish their whole work. That is one lump sum.

The CHAIRMAN. It is available until expended?

Mr. JONES. I do not know; I am not positive as to that.

Mr. SLATER. It can be worded so as to make it so.

The CHAIRMAN. In other words, these town-site commissioners are employed by whom—the Dawes Commission or the Secretary of the Interior?

Mr. SLATER. The Secretary selects one, as I understand it, and the tribes—

Mr. SMITH. They are recommended, one by the tribe and one by the Secretary of the Interior, for the Choctaws and the Chickasaws.

The CHAIRMAN. And the Secretary does the appointing?

Mr. SMITH. He does the appointing and prescribes the compensation, and the law requires that to be done.

The CHAIRMAN. Under this law, as you claim in this communication, the Government can never be reimbursed for this?

Mr. JONES. Yes, sir; the law specifies it must not be charged to the tribes.

The CHAIRMAN. So that must be charged to the Treasury?

Mr. JONES. Yes, sir.

The CHAIRMAN. This salary and expenses of town-site commissioners, if provided, you want it to be made permanent, and that is sufficient to make it permanent and continuing?

Mr. JONES. Yes, sir.

Mr. ALLEN. Is there anything in the legislative bill until next June on that proposition?

Mr. JONES. No, sir.

The CHAIRMAN. Did they investigate touching these town-site commissioners?

Mr. JONES. It was the intention first to have that go into the Indian bill, as it was field work.

The CHAIRMAN. Suppose Congress did not want to do this—did not want to make this a permanent appropriation, but wanted to appropriate for the balance of this fiscal year; you want to go to work right away down there?

Mr. SMITH. Certainly. The town-site commissioners have been already appointed and are ready to go to work.

The CHAIRMAN. But there is nothing to pay them with?

Mr. SMITH. There is nothing to pay them with.

The CHAIRMAN. Suppose it was the sense of Congress, instead of appropriating a lump sum, to appropriate by way of a deficiency for the remainder of this fiscal year the amount necessary, and then on the sundry civil bill to include an item for the services for the coming year. Have you any way of ascertaining what amount you would want?

Mr. JONES. I will refer that to Judge Smith and Mr. Bixby.

Mr. SLATER. We could use \$30,000, according to the estimate submitted by the inspector on duty in the Indian Territory. We wrote to him for information on the subject, and he made an estimate from the best information he could get on the subject, and he also estimated \$30,000 for town-site commissioners, although the salaries of such commissioners are not designated. So all we have to go on is the best judgment of our inspector, and what enters into the calculation we have not here.

The CHAIRMAN. How many years will it probably take to do this work?

Mr. BIXBY. They ought to do it in one.

The CHAIRMAN. Then, in your judgment, this work could be completed and this town-site commission mustered out within the remainder of this fiscal year and the coming fiscal year?

Mr. BIXBY. Yes, sir.

Mr. ALLEN. Does not this agreement provide there shall be two commissioners for the Choctaw and Chickasaw nations?

Mr. BIXBY. Yes, sir.

The CHAIRMAN. And how many for the others?

Mr. BIXBY. It varies according to the agreement. The Cherokee and Creek agreement, which we have lately concluded, provides for three commissioners for each town.



The CHAIRMAN. You have separate commissioners for the various towns?

Mr. BIXBY. Yes, sir; one will be appointed by the Secretary, one by the principal chief, and one by the town.

The CHAIRMAN. And that is the provision of the law?

Mr. BIXBY. That is right.

The CHAIRMAN. How many towns are there where you have—

Mr. BIXBY. There are not a great many.

The CHAIRMAN. Suppose they locate others, does this town-site law apply to them?

Mr. BIXBY. Under the agreement they can not locate any new towns under this law. Under the Cherokee agreement it provides for the institution of new towns where there are 200 inhabitants.

The CHAIRMAN. Now, it depends somewhat, in regard to the amount of money you need the remainder of this fiscal year and the coming fiscal year, upon the ratification of the Cherokee agreement, does it not?

Mr. BIXBY. Well, this money would not be expended for that, I do not suppose. I think this money is now devoted to the Choctaws and the Chickasaws.

The CHAIRMAN. No; this estimate is \$30,000.

Mr. SMITH. For all. It is \$6 a day and expenses.

The CHAIRMAN. Six dollars a day and expenses?

Mr. SMITH. When they are actually employed; yes, sir.

The CHAIRMAN. That is about \$9?

Mr. BIXBY. A great part of the expense will be for surveying, I take it. None of the towns are laid out at all and they have to be surveyed.

The CHAIRMAN. The only reason I am asking you about this matter is this, that all the information you have is from the inspector, and he guesses that \$30,000 will do all this work, yet there are no details for this work even satisfactory to you; still if we wait for a detailed estimate, why there may be some trouble down there about getting the work promptly done. Would you suggest a recommendation of this \$30,000 in full or a smaller sum, recollecting, however, that Congress meets again in December?

Mr. SLATER. To pay salaries and expenses of members at \$9, estimating they worked all the time for four months, will be \$4,320 for the four.

The CHAIRMAN. That is for the salaries and per diem, assuming they get \$6 and \$3 for expenses. You think this \$30,000 is only to apply to the Choctaw and Chickasaw?

Mr. SMITH. I should think it included the whole.

Mr. BIXBY. I do not know on what basis he figured, but I am sure it would not be enough for all.

The CHAIRMAN. Now, in all the agreements there is no way of charging that back to the Indians?

Mr. BIXBY. No, sir.

The CHAIRMAN. For locating the ninety-eighth meridian, this is Mr. Walcott's estimate?

Mr. SMITH. Yes, sir.

The CHAIRMAN. To begin allotments, \$50,000. How do you make allotments, through the commissioners? Who appoints those?

Mr. BIXBY. The commissioners of the Five Civilized Tribes make the allotments.

The CHAIRMAN. Is that the Dawes Commission?

Mr. BIXBY. Yes, sir.

The CHAIRMAN. They make the allotments?

Mr. BIXBY. Yes, sir.

The CHAIRMAN. They appoint the allottees and do the whole thing?

Mr. BIXBY. Yes, sir.

The CHAIRMAN. With or without the direction and authority of the Secretary of the Interior?

Mr. BIXBY. Well, all work is under the approval of the Secretary.

The CHAIRMAN. But after all is it supreme for the appointment, or do they recommend to the Secretary? I just want to know.

Mr. BIXBY. I do not think there is any provision—

Mr. SMITH. I know in reference to survey, under section 20, it says they shall employ under the approval of the Secretary of the Interior.

Mr. JONES. I know it is the opinion of the Secretary that they have the appointing power.

The CHAIRMAN. That the commission has the appointing power?

Mr. JONES. Yes, sir.

The CHAIRMAN. What section of the bill is that in the Curtis Act? Can you put your hand on it?

Mr. BIXBY. Section 20.

The CHAIRMAN. It says here, "Section 20 allows the Dawes Commission to employ necessary clerical assistance, including competent surveyors, to make allotments."

Mr. SMITH. That is the provision; the section says under the approval of the Sec-

retary of the Interior, and if you have the act here I can turn to it. It is the 30th Statutes, 485.

The CHAIRMAN. It is immaterial. I did not care anything about that, except to know about it. Now, to go back again, salary and expenses of town-site commission, \$30,000. The allotments here spoken of are allotments of land?

Mr. JONES. Town sites are under the control of the Secretary.

Mr. ALLEN. The lands have all been surveyed?

Mr. JONES. Yes.

Mr. SMITH. Right there, they have been surveyed in sections, and there is a question of about how much it will take to fix the particular location; whether they will have to be divided off.

The CHAIRMAN. This estimate of \$50,000 to begin allotments is the inspector's estimate?

Mr. BIXBY. No, sir; it is the Dawes Commission estimate.

The CHAIRMAN. Just an estimate without explanation?

Mr. BIXBY. Yes, sir; there is no explanation made.

The CHAIRMAN. You would hardly expend that \$50,000, I should think, before the 30th of June—well, I do not know?

Mr. BIXBY. That estimate was made early in December, and, of course, we expected if the appropriation was made earlier we could do a great deal of work this winter and spring. The Seminole Nation is ready now to allot. We have been instructed by the Secretary of the Interior to open land offices in each nation preliminary to allotments there, that the citizens might make their selections before we made the actual allotments, thereby expediting the work and saving a great deal of money.

The CHAIRMAN. That has been done now?

Mr. BIXBY. No, sir; we have not opened the land offices yet, but we are ready.

The CHAIRMAN. How are these expenses paid?

Mr. BIXBY. We will pay them with this money.

The CHAIRMAN. From this \$50,000?

Mr. BIXBY. Yes, sir.

The CHAIRMAN. On the theory it would become a law on the 4th of March—that is about as early as it could—

Mr. BIXBY. If it became a law on the 4th of March we would not want all that. We made the estimates thinking, perhaps, it might be passed earlier.

The CHAIRMAN. What amount of this you say you would need?

Mr. BIXBY. I should think \$30,000 would be a great sufficiency.

The CHAIRMAN. You had better have it available until expended.

Mr. BIXBY. Yes; we would like to have it that way if it would meet with the approval of the committee.

The CHAIRMAN. What you ask in this deficiency matter is, the employees in the office of the Commissioner of Indian Affairs, whom the legislative bill fixes for the next year, for the balance of this year, salary and expenses of town-site commission, locating ninety-eighth meridian, and to begin allotments, \$30,000. That is what you want for the remainder of this fiscal year?

Mr. JONES. We want one other item.

Mr. SMITH. You will not forget the persons who are in charge or detailed for that Indian division are merely detailed from the Secretary, and they want that also to continue. You see the first part of this.

The CHAIRMAN. That is included in what the legislative bill does, is it not?

Mr. SMITH. The legislative bill makes provision for them for the coming year.

The CHAIRMAN. What you want is to take up the legislative provision from the 4th of March on?

Mr. SMITH. Yes, sir.

The CHAIRMAN. Now, in the office of the Commissioner of Indian Affairs, for pay of employees, Indian Territory, you want that?

Mr. JONES. Yes, sir.

The CHAIRMAN. Incidental and traveling expenses, June 30, \$1,500; you want that?

Mr. JONES. Yes, sir.

The CHAIRMAN. Now, let us turn over to page 4 and see what it is.

Mr. SMITH. Mr. Chairman, that is the letter of the Commissioner, which the Secretary sent when he sent his letter, and upon which the Secretary's letter is based.

The CHAIRMAN. I see.

Mr. ALLEN. I want to make this suggestion about what Mr. Cannon says. His suggestion was, of course, if we were to make an appropriation for this town-site business extending until the 1st of July, unless some provision is made somewhere else for carrying it on you would be high and dry after the 1st of July had passed?

Mr. JONES. Yes, sir.

The CHAIRMAN. Unless we make it continuing, that is right. Really what you want now is—

Mr. ALLEN. Is the clerical force and the town site—

Mr. JONES. And the provision for the meridian and the allotments.

Mr. ALLEN. What do you estimate for the locating of the ninety-eighth meridian?

Mr. SMITH. Six thousand three hundred dollars, I think.

The CHAIRMAN. It looks as if, though, you would want this full amount if you are to run through the whole year for allotments. In fact, as I gather, that is what you ask.

Mr. JONES. How is that?

The CHAIRMAN. You intend to say you need \$50,000 for allotments for the whole year, as I gather from these two documents?

Mr. JONES. I do not understand it that way.

Mr. BIXBY. No, sir; we do not need it. The Indian appropriation bill provides from July on.

The CHAIRMAN. How much does it provide from July on?

Mr. JONES. There is a total amount of one hundred and twenty-three thousand and some odd dollars appropriated for allotments after July 1.

Mr. ALLEN. And you want \$50,000 to run you until July 1?

Mr. BIXBY. Not so much now, because we expected to begin January 1, but time has now gone on now, so probably it will not be available before March 4.

The CHAIRMAN. You do not drop any of the town-site estimate?

Mr. JONES. No, sir.

The CHAIRMAN. Now, did the Indian bill carry that also for the coming fiscal year?

Mr. JONES. No, sir; it was intended, but it got there too late, as I understand it.

The CHAIRMAN. You want that for all of next year and the balance of this?

Mr. JONES. Yes, sir.

The CHAIRMAN. And you also want the same thing as to the salary and expenses of town-site commissioners, and to continue the locating of the ninety-eighth meridian. I think I understood that, but when you come to the other matter—of the pay of employees in the Indian Territory—that is not carried in the Indian bill?

Mr. JONES. No, sir; it was intended, but it was omitted because it got there too late.

The CHAIRMAN. It is for the coming fiscal year?

Mr. JONES. I am sure we understand each other as far as the employees of the Indian Territory are concerned. That really ought to have gone in for the next fiscal year in the Indian bill, but it is not in, and now we want a sufficient amount to carry us until July 1, and then we want it for the next fiscal year. You understand that?

The CHAIRMAN. I understand it; you have got it here in your deficiency bill, for pay of employees, Indian Territory, to June 30 next, \$4,000; and then, pay of employees, Indian Territory, \$8,000 for the coming fiscal year?

Mr. JONES. That is right.

Mr. ALLEN. It is not in the Indian bill now?

Mr. JONES. No, sir.

Mr. ALLEN. That and this town site business should have gone in there?

Mr. JONES. Yes, sir; and the allotments also. All field work ought to have gone in the Indian bill.

Mr. ALLEN. But the allotment business is in after July 1?

Mr. JONES. Yes, sir; after July 1.

TUESDAY, February 21, 1899.

## CUSTOMS SERVICE.

### STATEMENT OF WILLIAM B. HOWELL, ASSISTANT SECRETARY OF THE TREASURY.

The CHAIRMAN. On page 10 you have an estimate of \$50,000 found due by the accounting officers for expenses of collecting customs, fiscal year 1898. I take it that is the amount due for the last year. The deficiency appropriation for the last year was \$1,000,000?

Mr. HOWELL. Yes; the appropriation was that much short.

The CHAIRMAN. Your theory being that the law authorized this expenditure with or without the appropriation?

Mr. HOWELL. You know how that customs appropriation has run. We have to place the money in the hands of the collectors of customs. They send in their accounts at the end of the month, and we found at the end of the year, when we came to settle our accounts, that this was the balance needed over and above the appropriation.

The CHAIRMAN. That would make \$1,050,000 for collection of the customs for 1898?

Mr. HOWELL. Yes, sir.

The CHAIRMAN. And now you come with an estimate for the current year, increasing that \$50,000, making it \$1,100,000. In other words, it would cost more to collect the customs, according to your estimate, by \$50,000 than it did last year. Now, why is that? You collected less revenue?

Mr. HOWELL. We collected more revenue from customs. Up to yesterday our receipts were \$125,115,100 as against \$87,000,000 the year before.

The CHAIRMAN. After all that is not by percentage. Have you got it for former years?

Mr. HOWELL. No, sir; I simply picked up the daily statement.

The CHAIRMAN. Is there anything else that you want to say?

Mr. HOWELL. Our expenditures up to February 1 have amounted to \$76,000 more this year than last year—in round numbers \$76,500—but our miscellaneous receipts have amounted to \$35,000 more, which go the credit of the appropriation, so that we have a deficiency of \$41,000 up to February 1, which is that much more than we asked for last year. So that I think with \$1,100,000 we will get through, but it is about \$50,000 more than we used last year.

The CHAIRMAN. No expenditures were made except those called for by law?

Mr. HOWELL. No, sir. We have our special agents going around the country investigating these matters. We have had questions of undervaluation involving special investigation. In one instance we sent a special agent to Europe. It will bring revenue to the amount of \$750,000. I speak of the St. Gall embroideries. We took something out of this appropriation, but we will be well paid for the expense.

The CHAIRMAN. Of course, the number of custom-houses dead weights and leeches we will not want to ask about, because that can not be helped.

Mr. HOWELL. I have tried to help it, and recommended to Congress a bill which I thought would save about \$100,000, but Congress has not seen proper to enact it.

Mr. LIVINGSTON. What was that bill?

Mr. HOWELL. It was a bill to consolidate the customs districts.

Mr. LIVINGSTON. Do you know the number of it?

Mr. HOWELL. No, I do not recall the number of it.

## REPAIRS AND PRESERVATION OF PUBLIC BUILDINGS.

### STATEMENT OF JAMES H. TAYLOR, SUPERVISING ARCHITECT, TREASURY DEPARTMENT.

The CHAIRMAN. Your estimate for the current year was \$275,000; your appropriation was \$275,000, and you submit an estimate of \$75,000 for deficiency for the current year. What have you expended up to the 1st of January?

Mr. TAYLOR. On January 14 we had expended \$204,000. Out of that \$275,000 we had to provide for the preservation of marine hospitals.

The CHAIRMAN. The whole thing is \$204,000?

Mr. TAYLOR. Add to that \$40,000 for preservation of marine hospitals, and it will bring it up to \$244,000 expended out of the \$275,000.

The CHAIRMAN. Is that all expended?

Mr. TAYLOR. It is; we had a balance of \$31,203 on January 14.

The CHAIRMAN. That makes \$244,000 and leaves on hand \$31,000.

Mr. TAYLOR. Yes, on January 14; but on February 18 last we had a balance on hand of only \$7,325, and for marine hospitals \$2,315.

The CHAIRMAN. The great bulk of the repairs was done in the first half of the year.

Mr. TAYLOR. We have rejected proposals chargeable to the preservation of public buildings that should have been done, amounting to \$36,380.

The CHAIRMAN. Is that the appropriation which bears electrical plants and betterment?

Mr. TAYLOR. No, sir; that is another one. This is simply for keeping buildings in order.

The CHAIRMAN. Can you get on with less than \$75,000?

Mr. TAYLOR. No, sir; I do not see how we can. I have here a statement which the chief of the division gave me for repairs to January 14, showing a balance on hand of \$31,000. We had bids rejected which ought to have been expended, amounting to \$36,380, and bids which were absolutely necessary—we had rejected the others, but these were deferred—amounting to \$13,400. There are certain others in the same category which amount to \$9,000, making the total work which ought to be done \$58,880. The actual expenditures, month by month, on repairs which are not extravagant, but which ought to have been done, amount to \$16,000 or \$18,000 per month. We can not get on with less and keep the buildings going.

The CHAIRMAN. That would bring it down to a little over \$250,000, but you have it \$275,000.

Mr. TAYLOR. We have got \$225,000. That is the very best we can possibly do. There are extraordinary repairs. For instance, at the New York custom-house it is positively dangerous to the lives of the people. It cost \$12,000 for plumbing so as to keep the people in the building from suffering. At Indianapolis we are to expend \$2,500, and at Louisville, Ky., we will require \$15,000 next year. At the New York custom-house and post office the ventilating system must be repaired, and we estimate for that \$12,000.

The CHAIRMAN. The \$275,000 is for caring for all these things, and that is the reason for the increase beyond the normal?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. When was this building at Louisville completed?

Mr. TAYLOR. I do not remember. Probably it is twenty years old, or somewhere along there.

The CHAIRMAN. I was under the impression that it was built inside of ten years.

Mr. TAYLOR. It may have been; and you may be right.

The CHAIRMAN. The fixtures and plumbing must have been in a pretty bad condition to require replacement in that time.

Mr. TAYLOR. No; if you would go through the average public building in this country and see the care, or rather lack of care, that a janitor gives in a public building, you would not be surprised that the fixtures go to pieces.

The CHAIRMAN. Why not provide for better janitors?

Mr. TAYLOR. The janitor seems to think that it is Government work and it can be replaced, and therefore he does not give it proper care.

Mr. LIVINGSTON. They are political appointments?

Mr. TAYLOR. Not that; they are simply careless.

Mr. BARNEY. Your employees are all under the civil service now?

Mr. TAYLOR. I believe so, except the laborers.

The CHAIRMAN. The next item is repairs and preservation of public buildings, including miscellaneous repairs to the building at New Orleans, \$5,000, which is a special item. Do you know anything about that?

Mr. TAYLOR. I know that it is very necessary.

The CHAIRMAN. Still, this other appropriation is available for it?

Mr. TAYLOR. I suppose it is.

The CHAIRMAN. If we give you the \$75,000?

Mr. TAYLOR. Yes, sir.

## HEATING APPARATUS. PUBLIC BUILDINGS.

The CHAIRMAN. Heating apparatus for public buildings. Your estimate was \$125,000, and your appropriation was \$100,000, and you estimate \$50,000 deficiency. What was expended on the 1st of January there?

Mr. TAYLOR. January 14 there was expended in heating apparatus, out of the \$100,000, \$97,400.

The CHAIRMAN. Is the appropriation available for putting in electrical appliances, and so on?

Mr. TAYLOR. No, sir; not for old buildings. If you put in an appropriation for a new building, we could put that in sometimes under the construction fund, but we do not put in any electric plants under this appropriation, but out of appropriation for heat, light, and fuel. That comes under Mr. Hills and the chief clerk.

The CHAIRMAN. A little over a year ago you expended all this appropriation?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. Explain that.

Mr. TAYLOR. We have had to do it. We have in the appraiser's stores in San Francisco, taking one item alone, \$8,750, and we pay about \$60 a month for rent of boilers. We have to rent boilers with which to heat the building.

The CHAIRMAN. Does it cost more to rent them than to own them?

Mr. TAYLOR. Yes, sir. Sixty dollars a month would be \$720 a year. A boiler plant could be put in for \$8,000 or \$10,000.

Mr. LIVINGSTON. Suppose it would cost \$10,000, what would be the life of it; ten years?

Mr. TAYLOR. It would depend a good deal on the situation. Probably it would last fifteen or twenty years at San Francisco.

Mr. LIVINGSTON. Then it is expensive to rent it?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. It seems to me that we could cut that item safely.

Mr. TAYLOR. We can not possibly do it. By taking out things that we could stave off we have been delaying it for several years, and it is not possible to do so any longer. There is another item in the bill for heating which has been deferred for lack of funds, and it is in the Treasury building in Washington, an item of \$20,000. The boilers are giving out. That item is included in this. That gives a

balance on hand on the 14th of January of \$2,696; and we have rejected bids for work which ought to be done and which has not been done and would cost \$10,380. There has been work deferred which is an absolute necessity amounting to \$23,800, making a total of work which ought to be done of \$34,849, leaving a margin of \$18,000, provided we get this deficiency.

### CONTINGENT EXPENSES, TREASURY.

#### STATEMENT OF MR. W. H. HILLS, ASSISTANT SUPERINTENDENT TREASURY BUILDING.

The CHAIRMAN. On page 5 you submit \$3,000 for contingent expenses. What is the necessity for it?

Mr. HILLS. We will require all of that money. As a matter of fact, we should have \$1,500 out of which to buy lumber for the cabinet shop where we have some ten cabinetmakers employed. This deficiency arises from the extraordinary demands upon the appropriation since the 1st of July.

The CHAIRMAN. What have you expended up to the 1st of January?

Mr. HILLS. As a matter of fact the appropriation has been exhausted for the last two months. There may be \$200 which has been reserved for the purpose of paying for repairs to typewriter machines. This is used to provide furniture for the office of the Commissioner of Internal Revenue, and for the Navy Department.

The CHAIRMAN. Has there been any great increase in the labor roll?

Mr. HILLS. No, sir. The time clocks were bought from this appropriation and they cost \$1,700.

Mr. LIVINGSTON. Out of the \$3,000?

Mr. HILLS. No, sir; out of the original appropriation.

The CHAIRMAN. For the current year?

Mr. LIVINGSTON. You paid for them before the bill reached the Senate. They were paid for before the 1st of July. Is not that the fact?

Mr. HILLS. No, sir. If you will examine the matter you will find that—

Mr. LIVINGSTON. The bill passed on the 7th.

Mr. HILLS. The legislative bill became a law several days before the deficiency bill, and the deficiency bill contained this prohibitive clause.

The CHAIRMAN. What are you going to do with those clocks now?

Mr. HILLS. I do not know.

The CHAIRMAN. Will you want an appropriation to store them?

Mr. HILLS. I could not say. We will probably sell them to some factory. We bought them subsequent to the 30th of June and before the 7th, when the bill passed.

### FURNITURE FOR PUBLIC BUILDINGS.

The CHAIRMAN. The next item is for furniture, page 8. You had \$180,000, and you estimate a deficiency of \$73,500?

Mr. HILLS. Well, since that appropriation was provided we have been advised by the Supervising Architect that there will be new buildings completed at Akron, Pottsville, St. Albans, and South Omaha, which will have to be furnished out of this year's appropriation, and which were not before reported by that office to our office. And then the demands for the current fiscal year have been unprecedented. The increase in the internal-revenue service has made great demands upon the appropriation, owing to the establishment of agencies for the selling of revenue stamps, and providing additional furniture for the accommodation of collectors in handling proprietary and other stamps.

The CHAIRMAN. These new buildings of which you have spoken, what will it cost to furnish them?

Mr. HILLS. Twenty thousand dollars.

The CHAIRMAN. That explains part of the \$73,000, and leaves \$53,000. Will those buildings have to be furnished before the 1st of July?

Mr. HILLS. Yes, sir.

The CHAIRMAN. The others were reported before and were covered by the appropriation of \$180,000.

Mr. HILLS. But we found that we could not do it. The estimates were \$200,000, and they were reduced \$20,000.

The CHAIRMAN. The estimates were \$193,000, but we cut them down \$13,000.

Mr. HILLS. Yes, sir.

The CHAIRMAN. Owing to the new work and the amendment of the revenue laws and so on, what amount would you say of this deficiency is explained by that?

Mr. HILLS. I should say about \$15,000.

The CHAIRMAN. So that explains the increase on account of the new buildings, and explains the increase of \$35,000. After you got that you still asked for \$38,000 more.

Mr. HILLS. We want the difference between what we asked for and what we got—\$13,400. You cut our estimates.

The CHAIRMAN. I am speaking of what we appropriated. You have explained \$35,000 on account of the unexpected amount of work.

Mr. HILLS. Yes, sir.

The CHAIRMAN. What is the least amount you can get on with?

Mr. HILLS. I think we should have this full amount. Of course, if you say so, we can get along on less, but I think we ought to have the full amount. I presume that we have requisitions aggregating \$15,000 now.

The CHAIRMAN. After all, furniture is a thing that public officials throughout the country would be extravagant about. You make a good case in the new buildings, and the \$35,000 increase on account of increase in the revenue business. What is the reason the public service would not be fairly well met by \$35,000?

Mr. HILLS. There has been a constant increase in the special-delivery system throughout the country, and more money has been required for the increased work in the courts by reason of the accumulation of files.

The CHAIRMAN. That is a natural growth?

Mr. HILLS. Yes; and some of the buildings are large ones and very old; forty, fifty, sixty, seventy years old. We have to renew furniture in at least three buildings every year.

The CHAIRMAN. Did you have a deficiency for 1898?

Mr. HILLS. We did.

The CHAIRMAN. The \$89,000 deficiency was owing to the new buildings.

Mr. HILLS. Yes; in part.

The CHAIRMAN. We do not want to cripple your service, but if it can be postponed I want to do it; but we are going to take your word about it.

Mr. HILLS. We are exercising the utmost economy.

Mr. LIVINGSTON. Could you not safely get along with \$35,000?

Mr. HILLS. No, sir; because we have now accumulated requisitions covering that amount. I think we could get on by cutting the whole amount \$15,000.

The CHAIRMAN. Fifteen thousand dollars from \$73,500 would be how much?

Mr. HILLS. Fifty-eight thousand five hundred dollars. We would keep within that.

The CHAIRMAN. You can do so fairly well?

Mr. HILLS. Yes, sir.

## ASSISTANT CUSTODIANS AND JANITORS.

The CHAIRMAN. Your appropriation for 1898 was \$845,000, and we increased that \$55,000. We appropriated \$900,000 for 1899, while your estimate was \$932,000. There was an increase of \$55,000.

Mr. HILLS. Yes.

The CHAIRMAN. What have you to say about that? That would be \$95,000 more for 1899 than we appropriated for 1898.

Mr. HILLS. This deficiency estimate is, we will say, in round figures, \$8,000 more than the entire estimate for the current fiscal year. I explained that in part when I was before the committee in connection with the item for fuel, lights, and water, and called the attention of the committee to the fact that instead of being an increase we had reduced it from \$870,000 to \$840,000 for the next fiscal year.

The CHAIRMAN. You cut it yourself from \$874,000 to \$840,000, which is over \$100,000?

Mr. HILLS. That was only for one year. The appropriation has been cut by the Department itself for the current year.

The CHAIRMAN. It is not in your estimate?

Mr. HILLS. I am now on the item of fuel, lights, and water. I am going back. The appropriation for fuel, lights, and water for the current year is \$870,000. Last year it was reduced to \$840,000, making a saving of \$30,000, which was brought about by the introduction of electric lights in Baltimore, Louisville, Pittsburg, and Atlanta, Ga. We have made a saving representing not less than \$15,000 a year, which will continue in that appropriation.

The CHAIRMAN. Then why do you increase this?

Mr. HILLS. Because we have had to increase the personnel to operate the plants.

The CHAIRMAN. Will you not increase there more than you will save?

Mr. HILLS. No; we will make a saving of \$15,000. Naturally there is an increase in fuel, lights, and water, owing to the addition of new buildings.

The CHAIRMAN. But while you get along with less for fuel, lights, and water, you increase this item?

Mr. HILLS. Not correspondingly. In 1897 the appropriation was \$900,000 for fuel, lights, and water. A natural increase would have been made beyond that this year for next year, so as to make it not less than \$950,000 or \$975,000, whereas instead of that we have reduced it to \$870,000 this year and \$840,000 for next year.

The CHAIRMAN. It seems to me that this item of custodians and janitors is reduced more than the other items.

Mr. HILLS. No, sir; you will find there is a natural increase there for fuel, lights, and water, taking the fiscal year 1897 as a basis. For 1900 we have \$975,000, and that is only \$25,000 a year increase for maintenance of the new buildings. Instead of that it will be only \$840,000. It shows a general saving of \$135,000, less the increase in the item for janitors.

The CHAIRMAN. What is the least amount you can get on with here?

Mr. HILLS. We will need every dollar of it.

## PRINTING FOR TREASURY DEPARTMENT.

### STATEMENT OF MR. GEORGE SIMMONS, CHIEF OF THE DIVISION OF STATIONERY, PRINTING, AND BLANKS, TREASURY DEPARTMENT.

The CHAIRMAN. For printing and binding, Treasury Department, you had \$285,000, which was your estimate, and you now estimate a deficiency of \$70,000. Why did you fall short?

Mr. SIMMONS. Our estimate was for three hundred and odd thousand dollars.

The CHAIRMAN. Two hundred and eighty-five thousand dollars?

Mr. SIMMONS. That was what we got; but the estimate was for more.

The CHAIRMAN. That was just your estimate.

Mr. SIMMONS. There has been a very great increase in the expenditures this year on account of the revenue act. We expended \$315,000, and, at the rate of the expenditure for the year we have just passed over, it will require \$40,000 per month to run us this fiscal year. There is only \$6,000 left of the appropriation up to the 15th of this month, and it will require at least \$70,000 to carry us through the remaining four months.

The CHAIRMAN. You give as the reason the increase of the printing and binding under the new revenue law. That is made through the Bureau of Engraving and Printing?

Mr. SIMMONS. No, sir. The Internal-Revenue Service is largely affected; also the custom-houses; also the Post-Office Department, the Sixth Auditor's Office, necessitated by the establishment of post-offices in Porto Rico and Cuba, as we have to supply the blanks for their books.

The CHAIRMAN. Is it paid for from this appropriation?

Mr. SIMMONS. Yes, sir.

The CHAIRMAN. I thought that was paid for from the revenues collected by the military government.

Mr. SIMMONS. It comes out of our stock.

The CHAIRMAN. Is there any prospect of your being reimbursed?

Mr. SIMMONS. No, sir.

The CHAIRMAN. Do you anticipate that you will be?

Mr. SIMMONS. We expect to be, but there has been no reimbursement as yet.

Mr. LIVINGSTON. If you gave them notice that they could not get any more supplies until they paid, would they not do so?

Mr. SIMMONS. It would be taking out of one pocket and putting it into the other.

Mr. LIVINGSTON. It would be a good way to get some of that Spanish money up here.

The CHAIRMAN. I have not inquired how far the revenues down there are available for that purpose. I have no doubt but that the Army has power to have this printing done.

Mr. SIMMONS. I think they will have it done down there afterwards; but they must have our forms to work on. They have not had time yet to have this printing done. The average printing for the Treasury Department amounts to \$285,000, and the annual appropriation hardly ever suffices. The average expenditure is in the neighborhood of \$220,000.

The CHAIRMAN. Three hundred and forty-five thousand dollars was appropriated last year.

Mr. SIMMONS. There was a balance left of \$25,000.

The CHAIRMAN. Unused?

Mr. SIMMONS. Yes, sir; \$25,415, making the actual expenditure \$315,548.

The CHAIRMAN. Now, you say that on the 5th of February you only had left \$6,000 for printing.



Mr. SIMMONS. Our estimates to the 5th of February exhausted the entire appropriation, except \$6,000.

The CHAIRMAN. That is your estimate?

Mr. SIMMONS. That is a different estimate. From the 1st up to the 15th it is estimates, but we have the actual figures up to the 1st of February, which leaves, I think, about \$16,000.

Mr. LIVINGSTON. According to his own statement, if he wants to spend \$315,000, we will have to give him only \$15,000.

Mr. SIMMONS. The expenditure this year is much heavier. It runs about \$40,000 per month. There is an item of paper for checks and drafts in which there is a deficiency of \$5,000.

The CHAIRMAN. We will not ask you about that.

### COLLECTING INTERNAL REVENUE.

#### STATEMENT OF MR. E. C. JOHNSON, CHIEF OF STAMP DIVISION, INTERNAL-REVENUE BUREAU.

The CHAIRMAN. Your estimate for 1899 is \$1,550,000, and the appropriation was \$1,710,000, and now you come with an estimate of \$25,000 in addition. Please explain why.

Mr. JOHNSON. That \$25,000 in addition is to cover paper, I believe.

The CHAIRMAN. This is for expenses of collectors and deputy collectors, including transportation of public funds. Are you familiar with the status of that?

Mr. JOHNSON. I am not. I was informed by the Commissioner that I would represent him as to the \$25,000 for internal-revenue-stamp paper, and his information was that that was the question upon which the committee desired information. We have an appropriation of \$35,000, and we ask for \$25,000 more. Up to the 1st of January, the first half of the fiscal year, we had ordered paper for the Bureau to the amount of \$35,291.56, and with advertising and extra expressage amounting to \$481 it made \$35,700.

The CHAIRMAN. In other words, you have more than covered the appropriation the first six months?

Mr. JOHNSON. Six thousand dollars was ordered on the last fiscal year for stamps before June, 1898, and while they were used this year it did not come from the appropriation for this year, because the order was made prior to that time, and that accounts for the \$25,000 deficiency.

The CHAIRMAN. What amount of this deficiency is covered by the words in italics, "superintendents, counters, messengers, and watchmen?"

Mr. JOHNSON. That covers the expenses of the contractor who is employed on the 2-cent stamps, documentary checks, and drafts.

The CHAIRMAN. You are not paying for those now, you submit?

Mr. JOHNSON. No, sir. Those are all reimbursable; by that I mean that the contractors pay the salaries of the superintendent, counters, etc., and that is to reimburse the Government for the salaries of these officers.

The CHAIRMAN. But you have not got them now?

Mr. JOHNSON. Yes, sir. I had nothing to do with that feature of it, and I do not know why it was placed in there.

The CHAIRMAN. What is the necessity for it? For instance, I have run my pencil through the items in italics, and the stenographer will please note to ask the Commissioner of Internal Revenue to write a letter and send it to us to-day, if he can, in which he will please explain the necessity for the \$25,000 for paper for internal-revenue stamps, and what would happen, if anything, if we did not appropriate it. In addition, we want him to state whether there is any necessity for this additional appropriation; and if so, how much, provided we struck out the words in relation to salaries of superintendents, messengers, and watchmen. We want to dispense with all those people.

Mr. JOHNSON. I do not see, I am free to say, any necessity for that. I can explain the appropriation of \$25,000 for internal-revenue stamps.

The CHAIRMAN. What is it?

Mr. JOHNSON. The internal revenue has increased from \$150,000,000 to \$280,000,000. All of that is received practically from internal-revenue stamps. The superficial area upon which the stamps are imprinted is increased in that ratio.

The CHAIRMAN. How much paper have you on hand?

Mr. JOHNSON. Our stock now is about thirty days' stock only.

The CHAIRMAN. Is that all?

Mr. JOHNSON. That is all.

The CHAIRMAN. For 1898, for instance, before the war, there was appropriated \$35,000, and a deficiency of \$10,000, and now comes the deficiency of \$25,000. You need this without reference to the words in italics?

Mr. JOHNSON. Yes; we will need that.

The CHAIRMAN. Whether the italics stay in or come out. You will need it more if the words stay in.

Mr. JOHNSON. I do not see that we do. The salaries of the superintendents, counters, messengers, etc., under contract—

The CHAIRMAN. This is for paper. Formerly you had your own paper for internal-revenue stamps, and it was found that any mill could make them, and we had a corps of superintendents, counters, messengers, and watchmen up there at the place where the paper was made. It was found upon investigation that that was useless, and it was abolished. Now, it seems to me that the submission of these salaries looks to restoring that force.

Mr. JOHNSON. I do not think there is any purpose to restore that force. I do not see any necessity for those words in italics.

The CHAIRMAN. They were put in there because your Bureau submits it in addition. The current appropriation reads: "Paper for internal-revenue stamps," etc.

Mr. SIMMONS. I have never heard of that before.

The CHAIRMAN. It seems to me that you make a case for some increase in the appropriation for paper. You say you only have thirty days' supply on hand, and anybody can see that you must have more paper than that.

Mr. JOHNSON. Yes, sir.

Mr. LIVINGSTON. How do the prices compare?

Mr. JOHNSON. It is the same price, 4½ cents for distinctive revenue paper.

Mr. BARNEY. Where is this paper made?

Mr. JOHNSON. It is made at the Lockwood Mills, in Pennsylvania.

Mr. LIVINGSTON. What protection has the Government now against the duplication of stamps from this same paper?

Mr. JOHNSON. This is distinctive paper, and it is watermarked "I. R."

Mr. LIVINGSTON. You have no protection?

The CHAIRMAN. It is printed at the Bureau of Engraving and Printing. Any paper mill could make it.

Mr. JOHNSON. It is manufactured for the Government, and the Government owns the rolls from which the watermarks are made, and the parties can only manufacture this under contract.

Mr. ALLEN. If somebody else wants to furnish it he could do it as well as these people?

Mr. JOHNSON. I do not think he could. They make it under a process of their own from rolls kept by them.

Mr. LIVINGSTON. Are you looking into the matter to ascertain whether the stamps are counterfeited?

Mr. JOHNSON. Yes; and we have never found one.

## FISH COMMISSION.

### STATEMENT OF MR. GEORGE M. BOWERS, COMMISSIONER, AND MR. W. DE C. RAVENEL.

The CHAIRMAN. You submit for completion of the station at Nashua, N. H., including construction of superintendent's dwelling, \$7,000?

Mr. BOWERS. Yes, sir.

The CHAIRMAN. The general appropriation, if there was enough, would cover that, would it not?

Mr. BOWERS. I have a statement showing the amount expended from that general appropriation.

The CHAIRMAN. You speak of a dwelling which you have repaired. Is it a comfortable dwelling?

Mr. BOWERS. It is fairly so.

The CHAIRMAN. Is it for the superintendent there?

Mr. BOWERS. It is for the fish-culturist. The station is a mile or so from town.

The CHAIRMAN. What is the difference between fish-culturist and superintendent?

Mr. BOWERS. We have several laborers. The personnel includes a fish-culturist and a superintendent.

The CHAIRMAN. Who is living in the house now?

Mr. BOWERS. At present the watchman. We can not commence operations until the 1st of July, because there is no money.

The CHAIRMAN. Is that the only reason?

Mr. BOWERS. With this appropriation for the completion of the hatchery and construction there is only \$244.94 on which we can operate.

The CHAIRMAN. Suppose you got plenty of money; when could you commence operations?

Mr. BOWERS. Shortly after the 1st of July.

The CHAIRMAN. You would not commence until after the 1st of July?

Mr. BOWERS. If we had this money we could get ready.

The CHAIRMAN. This is for the completion of the station?

Mr. BOWERS. Yes, sir. Of course that is not to go into effect until the 1st of July.

The CHAIRMAN. How much are you going to put in the dwelling for the superintendent?

Mr. BOWERS. We generally put about \$3,000 in a dwelling.

The CHAIRMAN. In this case would it be more or less?

Mr. BOWERS. Our estimate is for \$3,000.

The CHAIRMAN. Are you going to leave that other building, which is comfortable? Have you more than one building for employees?

Mr. BOWERS. Only one, except in two or three stations.

The CHAIRMAN. Would not the superintendent move into that building?

Mr. BOWERS. It is not such a building as a superintendent ought to have.

The CHAIRMAN. He does not have to entertain, does he?

Mr. BOWERS. No; not expensively.

Mr. LIVINGSTON. Does he keep a horse and carriage?

Mr. BOWERS. No; it is only half a mile from the street-car line.

Mr. LIVINGSTON. Don't you think it would be cheaper and better for him to live down town and walk half a mile?

Mr. BOWERS. It would not be so satisfactory for the commission.

Mr. LIVINGSTON. You want him on the ground?

Mr. BOWERS. It is proper that he should be there.

#### MANCHESTER, IOWA.

The CHAIRMAN. For completion of station at Manchester, Iowa, \$6,000. Will it take that amount to complete it?

Mr. BOWERS. That is the estimate we have made. The greater part of it is needed for construction of a solid wall laid in cement and for building a long water-supply pipe.

#### LEADVILLE.

The CHAIRMAN. When are you going to get through at Leadville?

Mr. BOWERS. I have never seen the Leadville station. This is the report of our superintendent. This is one of the stations which I have not visited since I became Commissioner.

The CHAIRMAN. Is there anybody who can give us information about that?

Mr. RAVENEL. I was there a year ago.

The CHAIRMAN. My recollection is that it has been one of the most expensive ones. Is it valuable?

Mr. RAVENEL. It is valuable as a trout station.

The CHAIRMAN. Mountain trout?

Mr. RAVENEL. It is a supply station for Colorado, Wyoming, South Dakota, Idaho, Oregon, and Washington for trout.

The CHAIRMAN. Small trout?

Mr. RAVENEL. Yes, sir; and also for the native Rocky Mountain trout. It has developed from an unsatisfactory to a satisfactory station. The output amounts to 7,000,000 trout yearly, and it is in the midst of a large Government reservation which was turned over to us some years ago. The station was really never put in first-class condition. The lakes in which we have the trout should be provided with proper branches. The floor and foundation of the hatchery has been cut away and has settled, and we will be compelled to change the supply pipes. I do not think it can be done with much less money than we have asked.

Mr. BOWERS. It is heated by stoves, and the idea is to put in steam heating apparatus.

The CHAIRMAN. This is the station at which you furnish the luxuries in fish culture, so to speak?

Mr. BOWERS. It is one of the most expensive ones which we have. It requires more money for a superintendent to live than it does at any other station.

The CHAIRMAN. But from the standpoint of furnishing food products, mountain trout do not amount to anything.

Mr. BOWERS. Computed commercially, no; but to this country it is the only fish they have for months and months. The amount consumed by the people in those States, if it could be arrived at by statistics, would show an immense amount.

The CHAIRMAN. I supposed it was only of importance in enabling people to whip the streams and get damp feet.

Mr. BOWERS. As a place of recreation it is valuable.

The CHAIRMAN. Will you write the committee a letter giving the expenditures for construction at Leadville, year by year, from the beginning, and also the present condition of that hatchery, as well as the expense of maintaining it owing to its elevated station, and in that connection state the propriety of continuing it?

Mr. BOWERS. Very well; I will do so.

Mr. LIVINGSTON. Is it not true that these streams are really filled with mountain trout anyway?

Mr. RAVENEL. The native fish are plentiful, but we have not introduced the rainbow trout from the Pacific coast in sufficient numbers so that they have become plentiful.

Mr. BOWERS. We have as many applications from Colorado as from any State in the Union.

Mr. ALLEN. How many stations have you in all?

Mr. BOWERS. Twenty at present.

Mr. ALLEN. Where are they located?

Mr. BOWERS. We have a new one now at Bullocksville, Ga., and one at Irwin, Tenn.; one in North Carolina, two in Maine, and two in Massachusetts; one at Spearfish, N. Dak.; two in California, one in Oregon, and there is a new one to be located in Washington.

Mr. ALLEN. Where is the one in Tennessee?

Mr. BOWERS. It is at Irwin, Tenn. There is one at Bullocksville, Ga.

The CHAIRMAN. State also in your letter, taking into consideration the best and most economical results for fish-culture work, how many of these stations could be dispensed with, and which ones, if any. In other words, I want the opinion of the Fish Commissioner, and his best opinion—because I would like the opinion of the people familiar with it—as to how many stations are constructed that are not economical.

Mr. BOWERS. Yes, sir.

Mr. BARNEY. Are you doing anything toward replenishing fish at these stations?

Mr. BOWERS. At Duluth and Put-in-Bay, and Northville, Mich.—

Mr. BARNEY. Where is that in Michigan?

Mr. BOWERS. A few miles from Detroit. (Addressing Mr. Ravenel.) What is the distance?

Mr. RAVENEL. Five miles from Detroit; but at Detroit, Mich., right on the Great Lakes, you have one for whitefish.

Mr. BARNEY. Not on Lake Michigan?

Mr. BOWERS. Not on Lake Michigan, but at Albina, at the Straits of Mackinac; but we plant equally on both sides.

The CHAIRMAN. The next item is "for the construction of ponds and completion of the superintendent's residence at the fish cultural station of the United States Commission of Fish and Fisheries at Bozeman, Mont., \$1,500."

What is that; is that another trout hatchery?

Mr. BOWERS. Yes, sir.

The CHAIRMAN. It duplicates substantially the work you are trying to do at Leadville?

Mr. BOWERS. Yes, sir.

The CHAIRMAN. Any more trout hatcheries?

Mr. BOWERS. What is the output of the Montana?

Mr. RAVENEL. Montana was just about in active operation last year. The output last year I would say was between three and four million.

The CHAIRMAN. This is new. That is a more desirable station than Leadville, is it?

Mr. BOWERS. Yes, sir.

The CHAIRMAN. I see you want \$5,000 for repairs, construction, and improvement of buildings and wharves, and improvement of grounds at the fish cultural station at Woods Hole, Mass.

Mr. BOWERS. That is the most valuable station we have.

The CHAIRMAN. What are you going to do with this \$5,000?

Mr. BOWERS. The wharves at this station and the stone sea wall on the east side are in such a condition that we have been obliged to prohibit the use of the same. They are in such bad condition that it is dangerous to man or beast to walk on them. The planks are all rotten, also the majority of the center timbers. The stone wall was seriously damaged by the recent gale, and it is estimated that \$4,000 will be necessary to make the repairs that are needed. The balance of the money is needed for repairs to the hatchery and the laboratory, storehouse, and coal bins. It is the most important station on the east coast, and, in fact, the only scientific station owned by the commission.

The CHAIRMAN. For the purchase or construction of a steam launch for use at the fish-cultural stations at Woods Hole and Gloucester, Mass., you ask for \$7,000.

Mr. BOWERS. Yes, sir. An additional steam launch is required for use in connec-

tion with the fish-cultural and biological work at Woods Hole. The launch at present in use there has been in service for nearly fifteen years, and, though perfectly satisfactory for local use, is not fit for planting cod fry off Gay Head on the natural spawning grounds around No Man's Land. The biological work at the station has also increased immensely, and to properly conduct the investigations now in progress it is necessary to have a much larger launch, so that it can go out in the Sound in all kinds of weather.

In addition we desire to use that for this new shad station on the coast of North Carolina.

The CHAIRMAN. This launch has to be used all along the coast, then?

Mr. BOWERS. At these two points and North Carolina. Principally from North Carolina to Gloucester, Mass. You understand the work is done in the spring down on Albemarle Sound, Delaware, and on the Susquehanna, and in the fall and winter at Gloucester and at Woods Hole.

The CHAIRMAN. When you speak of a launch, what kind of a vessel do you mean?

Mr. BOWERS. It is a small launch.

Mr. RAVENEL. A boat 60 or 70 feet long and 12-foot beam.

The CHAIRMAN. A boat of seagoing qualities?

Mr. RAVENEL. Yes, sir; a boat that three or four men can run—not over three men to run her.

The CHAIRMAN. Have you got one now that does this work?

Mr. BOWERS. We have a couple.

Mr. RAVENEL. We have several launches, but they are not of the size of this and they would not be entirely satisfactory. Besides this, the North Carolina station expects to use the steam launch.

The CHAIRMAN. I will ask you this question, because somebody may ask me the question on the floor of the House: Is this a launch that is necessary for the work of the Fish Commission, or is it simply a luxury?

Mr. BOWERS. Not a luxury at all; it is absolutely necessary for the use of the commission. We have not a single launch that is a luxury, at least none that have been since I became Commissioner.

Mr. LIVINGSTON. If you get this new one, what are you going to do with those you already have on hand?

Mr. BOWERS. Well, there are the new stations—for instance, the work on the Susquehanna and the Delaware, and at Bryans Point, and at Marshall Hall, down here in Maryland. The work comes on about the same time, you see. It is necessary to have one here, one there, and one elsewhere.

The CHAIRMAN. The next item is "For building new railway car for distribution of live fishes, to replace car No. 4, \$8,000."

Mr. BOWERS. Car No. 4, I think, was originally a freight car.

Mr. RAVENEL. Yes, sir; a baggage car.

Mr. BOWERS. And in an estimate a few days ago I find it would cost \$3,000 to fit up this car. It is absolutely worn out.

Mr. RAVENEL. And unsafe, too.

Mr. BOWERS. And in addition to being worn out it is unsafe. It will simply last a year or so longer if it is repaired, and for the best interests of the Government and for the interests of the commission it is expedient to purchase a new car rather than to repair this old one.

Mr. BARNEY. How many cars do you have?

Mr. BOWERS. Four.

Mr. BARNEY. For the whole United States?

Mr. BOWERS. Yes, sir.

Mr. BARNEY. Does that go all over the country?

Mr. BOWERS. Yes, sir; one is stationed, you understand, in the extreme West, and one near Quincy, Ill. And then there is one in Michigan, and the other is here. For instance, the Michigan car runs to Texas.

The CHAIRMAN. You regard the use of cars to distribute fish from stations as being more economical and better than building a station at every place?

Mr. BOWERS. Yes, sir; I do.

The CHAIRMAN. What would you say to more cars and less stations?

Mr. BOWERS. Well, that is a question for you to determine—about stations. When Congress gives us the stations we have to operate them. Frankly, I am thoroughly of the opinion that it would be to the best interests of the commission if we had two more cars. I think your theory in that respect is a correct one.

The CHAIRMAN. How many less stations could you get along with?

Mr. BOWERS. I will make the investigation you suggested a while ago. As I stated, frankly I am of the opinion that we have a couple of stations that could be operated more cheaply if they were operated elsewhere than where they are at present. But the most important thing for the commission is this new car. We need it and we need it above everything else.

The CHAIRMAN. This wharf at Gloucester is to replace one destroyed by storms? Mr. BOWERS. That was destroyed lately; about the time the steamer *Portland* went down.

The CHAIRMAN. You think that is necessary?

Mr. BOWERS. Yes, sir; beyond any question.

There is a miscellaneous expense that should have come in some time since, for \$118.75. That is the only deficiency so far as our commission is concerned. That is for "Outstanding liabilities incurred during the fiscal year 1898 for rent of ground and fishing privileges at Grand Lake Stream, Maine, \$118.75."

### PAY OF THE ARMY.

#### GENERAL A. B. CAREY, U. S. A., PAYMASTER-GENERAL, APPEARED BEFORE THE COMMITTEE.

The CHAIRMAN. Are these estimates correct, or do you want to make any revision? General CAREY. No, sir; they are just as we want them.

The CHAIRMAN. There is one item I want to hear you about. [Reading:] "To supply a deficiency of the appropriation for payment of the Hospital Corps for the six months ending June 30, 1899, \$587,880."

The appropriation for the first half of 1899 was all asked for, \$80,400; for the second half the appropriation was all they asked, \$80,400, and here comes, however, in addition to that \$160,800, an estimate of \$587,800. Why?

General CAREY. Well, I think it is explained, Mr. Chairman, by the House Document No. 97.

The CHAIRMAN. Let me turn to it and see, because if it is—

General CAREY. There was no volunteer hospital corps provided for and there was no estimate made. The men were taken from the volunteers and transferred to the Hospital Corps.

The CHAIRMAN (reading from Document No. 97 of the Fifty-fifth Congress):

"I have the honor to transmit herewith for the consideration of Congress copy of a communication from the Secretary of War of the 17th instant, submitting an estimate of deficiency in the appropriation 'Pay, etc., of the Army, 1899,' for the last half of the fiscal year, for the payment of the Hospital Corps, \$587,880.

"Respectfully, yours,

"O. L. SPAULDING, *Acting Secretary.*

"The SPEAKER OF THE HOUSE OF REPRESENTATIVES."

Then the Paymaster-General says for the last half of the fiscal year, \$587,880?

General CAREY. Yes, sir.

The CHAIRMAN (reading from House Document No. 97):

WAR DEPARTMENT, PAYMASTER-GENERAL'S OFFICE,  
*Washington, December 17, 1898.*

SIR: I have the honor to inclose a deficiency estimate on account of "Pay, etc., of the Army, 1899," for the last half of the fiscal year, for payment of the Hospital Corps, \$587,880.

Very respectfully,

T. H. STANTON,  
*Paymaster-General United States Army.*

The SECRETARY OF WAR.

Then there is a letter from the Surgeon-General's Office, dated December 15, 1898, as follows:

SURGEON-GENERAL'S OFFICE, *December 15, 1898.*

The PAYMASTER-GENERAL OF THE ARMY.

SIR: Referring to H. R. 10989, making appropriations to supply urgent deficiencies, I have the honor to invite your attention to your estimates on page 7 for the Hospital Corps.

In a letter addressed to you May 9, a copy of which is inclosed herewith, I asked that estimates might be made for 50 hospital stewards, 50 acting hospital stewards, and 550 privates for service with the increased Regular Army, and also for 140 acting hospital stewards and 3,150 privates for service with the Volunteer Army. The last items are not included in the bill.

I beg leave to call your attention to the fact that your estimate is based upon a letter dated in May last, but that the exigencies of the service have made it necessary to enlist over 5,000 privates of the Hospital Corps and to detail 500 acting hospital stewards. The number of hospital stewards now in service is 176; the number authorized by law is 200, and the full number is urgently needed. The number of hospital stewards, acting hospital stewards, and privates of the Hospital Corps can not be greatly reduced within the next six months.

If, therefore, provision has not been made for the payment of these men, I respectfully request that prompt measures be taken to secure the necessary legislative action.

The number to be provided for are, therefore, 200 hospital stewards, 500 acting hospital stewards, 5,000 privates.

Very respectfully,

GEO. M. STERNBERG,  
*Surgeon-General United States Army.*

He says that the number to be provided for is 200 hospital stewards, and 500 acting stewards, and 5,000 privates, and yet you did not submit for the 5,000 privates. You submitted for 2,000 and some.

Mr. BARNEY. That is a difference between 1,075 and 5,000, Mr. Chairman. We have appropriated for 1,075. He says they should have been 5,000.

General CAREY. So we have an increase to be provided for.

The CHAIRMAN. Of 3,925?

General CAREY. That many privates, and 350 acting hospital stewards, and 50 hospital stewards.

The CHAIRMAN. That is on the basis of all this Volunteer Army remaining in the service until the 1st of July, wasn't it?

General CAREY. Yes, sir.

The CHAIRMAN. A good portion of it has been mustered out.

General CAREY. That is very true, and we are—

The CHAIRMAN. Since this letter was written; this was written December 15?

General CAREY. Yes, sir.

The CHAIRMAN. And there is an order this morning mustering everything out?

General CAREY. Mustering everything out that is in the United States.

The CHAIRMAN. Was not the indefinite appropriation of \$50,000 largely used for this service?

General CAREY. I don't know just how that was used. I have not been in charge of the office. Here is the financial clerk of the Paymaster-General's Office. He is familiar with it.

Mr. MURRAY. Five thousand dollars of this was used for this purpose before any appropriation was made.

The CHAIRMAN. Yet for the Surgeon-General's Office there were a good many hundred thousand dollars used, were there not?

Mr. MURRAY. This was the only amount assigned for this class of payments—\$5,000.

The CHAIRMAN. On your return to the office please revise this estimate if it needs revising in light of the demands of the Army.

General CAREY. At the present time—

The CHAIRMAN. For the last half of this fiscal year, from your present condition, and what will be the condition in the immediate future; and give us the amount that it is necessary to appropriate to pay everybody that is to be paid under this appropriation. In other words, it seems to me that your appropriation now—

General CAREY. Is much too large.

The CHAIRMAN. It is a guess, which guess is not justified by the existing conditions, which you could not foresee. I am not quarreling with the guess, but what I want you to do is promptly to-day to write us a letter to take the place of this estimate that should go in here.

General CAREY. I want to say, Mr. Chairman, that I do not think it will be very materially reduced, for this reason: That all these men are going out with a month's pay in advance, you know, and they get travel pay, which aggregates pretty high, and those who have been on foreign service get advance pay and travel pay. So when you come to aggregate it up the amount will not be reduced as much as you think it would. But if we get them all out before the end of this fiscal year there will be some reduction. There should be a good deal of reduction.

The CHAIRMAN. Of course we do not want anybody unprovided for, and still we do not want this item to carry \$100,000 or \$50,000 or \$200,000 more than is necessary. And it is for that reason, and in view of the changed conditions, that I ask you to look into it and write us a letter as soon as you can. We will be very glad to have it not later than to-morrow morning. I want to finish this bill to-day.

General CAREY. I will get that to you if it is possible.

The CHAIRMAN. Now, if you take page 34 you will see, "For pay of the Army. For 20 per centum increase on pay of enlisted men, \$1,052,864.70."

Your note says the 20 per cent additional pay to enlisted men allowed under act of April 26, 1898, was not estimated for in regular estimates for pay, etc., of the Army, 1899.

General CAREY. Yes, sir.

The CHAIRMAN. Well, I think that is true, but under act of July 7, 1898, the deficiency bill, we find these items:

"For pay of the Army under act approved April 26, 1898, six months beginning July 1, 1898, as follows:"

And then follows this item:

"For twenty per cent of increase," so much.

That is for the first six months.

General CAREY. That was for the increase of the Regular Army. We had 25,000 men; that was increased up to 60,000.

The CHAIRMAN. And that cared for it. Is this the same thing? This is enlisted men?

General CAREY. It was for the increase over and above that increase of the Regular Army—the volunteers.

The CHAIRMAN. This is for the 20 per centum.

General CAREY. The first item, for six months.

The CHAIRMAN. Six hundred and thirty-four thousand dollars, you say, was for the—

General CAREY. Increase of the Regular Army.

The CHAIRMAN. From 25,000 to 61,000?

General CAREY. Yes, sir.

The CHAIRMAN. But this item now you submit by way of deficiency of \$1,052,864?

General CAREY. That is for the volunteers in excess of the 61,000 of the regulars?

The CHAIRMAN. Are you sure about that?

Mr. MURRAY. This is the 25,000 of the Regular Army—this 20 per cent is—the original estimate, you know, for 1899. There was no estimate for 20 per cent for that; therefore this 20 per cent now is for that deficiency.

The CHAIRMAN. For the Regular Army alone?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. And the volunteers do not figure in this?

Mr. MURRAY. No, sir.

The CHAIRMAN. So it takes for the Regular Army this 20 per cent. It takes not only the \$634,000 appropriated by act of June 7, but in addition it requires the estimate which you submit of \$1,052,864.70?

General CAREY. Yes, sir.

The CHAIRMAN. That has been figured down so you have that accurate?

General CAREY. Yes, sir.

The CHAIRMAN. The appropriations for the volunteers are already made?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. This was for the entire fiscal year, was it not?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. If the Regular Army is decreased you do not need this amount. This is for the old Regular Army, isn't it?

General CAREY. Yes, sir.

The CHAIRMAN. But the first item, the one we have appropriated for, was for the increase?

Mr. MURRAY. Yes, sir; for the increase of the Regular Army.

The CHAIRMAN. But this is for the old Regular Army—or for both?

Mr. MURRAY. The old Regular Army of 25,000 for one year. You see, we have already anticipated—

The CHAIRMAN. This anticipates paying the whole 25,000 of the Regular Army for the year—this 20 per cent. And if, perchance, peace should be declared and the treaty ratified, and so on, it will be abated that much unless there is other legislation?

General CAREY. It is presumed, even if we do discharge all the volunteers, that we will hold the Regular Army up to the present force. The future is a good deal speculative.

The CHAIRMAN. This is estimated for the full year, for the Regular Army of 25,000 people?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. Regardless of the treaty, upon the supposition that the 20 per cent would go to the Regular Army of 25,000 people for the whole year?

General CAREY. Yes, sir; that is right.

The CHAIRMAN. Under existing legislation the moment that the treaty is ratified this 20 per cent would be cut off?

General CAREY. Yes, sir.

The CHAIRMAN. It is not safe to leave it out, because I do not know just when it will be, and there may be subsequent legislation, anyhow.

WAR DEPARTMENT, PAYMASTER-GENERAL'S OFFICE,

*Washington, February 22, 1899.*

THE CHAIRMAN COMMITTEE ON APPROPRIATIONS,

*House of Representatives.*

SIR: In answer to your request of yesterday, asking that in view of the reduction of the Army a new deficiency estimate be submitted for pay of the Hospital Corps, I



desire to state that after consultation with the Surgeon-General of the Army the following estimate is submitted:

50 hospital stewards .....	\$13, 500
150 acting hospital stewards .....	22, 500
1, 500 privates .....	162, 000
20 per cent increase .....	39, 600
	237, 600

Making a reduction of \$350,280.

Respectfully submitted.

A. B. CAREY,

*Paymaster-General United States Army.*

## QUARTERMASTER'S DEPARTMENT.

### GEN. M. I. LUDINGTON, QUARTERMASTER-GENERAL, APPEARED BEFORE THE COMMITTEE.

The CHAIRMAN. There was appropriated in the regular army bill for the current year \$600,000?

General LUDINGTON. Yes, sir.

The CHAIRMAN. Then for the first half, on the June 7 deficiency bill of 1899, \$5,000,000?

General LUDINGTON. Yes, sir.

The CHAIRMAN. Now, for the second half you estimate \$1,350,000. Now you come with an additional deficiency of \$350,000. What have you to say about it?

General LUDINGTON. That was based, Mr. Chairman, on the conditions as they existed at that time. I did not believe we had enough money or we should not have asked for it, but I do not think now, under existing conditions, we want so much. That can be cut down some.

The CHAIRMAN. How much would you say would be necessary?

General LUDINGTON. I should say we could cut that to \$250,000.

The CHAIRMAN. You submit now that \$250,000 would be sufficient?

General LUDINGTON. I think so. I think that would be sufficient, because we will not have so great expenses. We are mustering out the people.

The CHAIRMAN. This is for the Regular Army and the volunteers both?

General LUDINGTON. This is for all; yes, sir.

The CHAIRMAN. You submit in italics, "Extra pay to soldiers employed on extra duty," and so on, all of which is prohibited under a law for war time. You inserted it here in anticipation—

General LUDINGTON. We could have gotten a great deal of work out of the soldiers if we could have paid them, but they would not work without pay. That is, they would not work willingly without pay.

The CHAIRMAN. And heretofore you have been in the habit of paying them for extra duty?

General LUDINGTON. We were until the war was declared.

The CHAIRMAN. There was an increase of 20 per cent, and it was supposed that they ought not to have both. Under the law, if we put in what is in italics, can you give that extra-duty pay before peace is declared?

General LUDINGTON. Yes, sir; just as soon as peace is declared that returns to the old law.

The CHAIRMAN. You could do it without those words, could you not?

General LUDINGTON. No, sir; not without those words, because each year's appropriation specifies for that purpose. There is no standing law—no general statute.

The CHAIRMAN. What would you say to inserting these words: "Extra pay to soldiers employed on extra duty in time of peace?" Otherwise you could use it in time of war, and maybe you ought to, but I do not want to interfere with the legislation under the lead of the military.

General LUDINGTON. I do not see any objection to that. That was the chief motive in putting it in, in case we should have peace.

Mr. LIVINGSTON. Then if that word "peace" is put in the soldiers that did work in the last six months could not get any pay.

General LUDINGTON. No, sir.

Mr. ALLEN. They can not get pay under the law. That was put in when we gave them the 20 per cent extra pay in time of war.

Mr. LIVINGSTON. Was that in the Army bill?

The CLERK. No; in a special act.

The CHAIRMAN. "For barracks and quarters." The appropriation for 1899 in the

regular bill was \$750,000; in the deficiency, the first half, \$2,250,000, and in the deficiency, the second half, nothing here.

General LUDINGTON. There is nothing asked for.

The CHAIRMAN. Now you submit \$750,000?

General LUDINGTON. Yes, sir.

The CHAIRMAN. What will be the necessities from the standpoint of the present condition?

General LUDINGTON. We have our army in Cuba, and Porto Rico, and Manila, and we have to provide quarters for them in the rainy season; and in Manila we are hiring quarters for them, and in Porto Rico we are hiring quarters, except the public quarters that belonged to the Spanish, and in Cuba, now under the same conditions, we are trying to fix up some two or three buildings, and we will have to put up additional buildings.

The CHAIRMAN. Do you want to leave this as it is?

General LUDINGTON. I think it is about right. If we do not want it all we will not use it.

The CHAIRMAN. "Including the extra-duty pay of enlisted men employed on the same." I suppose you had better insert there "in time of peace."

General LUDINGTON. Yes, sir; the same modification.

The CHAIRMAN. "For transportation of the Army and its supplies." You ask for \$7,000,000 there. You had in the regular army bill \$2,300,000; for the first half of 1899, \$44,000,000; for the second half of 1899, \$12,294,275. Now you submit in addition \$7,000,000. From the standpoint of the present conditions will you want to modify that, or is that necessary?

General LUDINGTON. I do not see how we can modify that, because we have to transport these people back and forth.

The CHAIRMAN. In your judgment that is necessary?

General LUDINGTON. Yes, sir. If it is not we will not spend it.

The CHAIRMAN. The next is "To enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of officers and soldiers who died at military camps, or who were killed in action, or who died in the field outside of the limits of the United States, \$100,000." You had \$200,000. Now you want \$100,000 more?

General LUDINGTON. Yes, sir.

The CHAIRMAN. The note is, "It is believed that for this purpose the additional sum now asked for will be required."

Mr. BARNEY. When was that law first in operation—when did you begin to bring them home?

General LUDINGTON. We have not begun yet, to any great extent. A ship is now at Porto Rico, and it is going to Santiago, taking them all up and bringing them all in.

Mr. BARNEY. When was the first provision of law for that?

General LUDINGTON. At the last session—last July.

The CHAIRMAN. The next item is for clothing and camp and garrison equipage. For the second half of the year we have appropriated \$6,401,614. Now you submit an estimate of \$1,000,000. Do you still stand by that estimate, or can you modify it?

General LUDINGTON. I think we might make it \$900,000.

The CHAIRMAN. You think \$900,000 would be all you would expend?

General LUDINGTON. I think so, because we won't want near so much clothing as under the conditions when this estimate was made. Still we have to provide different kinds of clothing for different climates. We have to keep a big stock on hand.

The CHAIRMAN. We want to give you what is necessary, but if you think \$900,000 will pay it we will put it at that.

General LUDINGTON. I think it will.

The CHAIRMAN. "For transportation of destitute citizens from St. Michael's, Alaska, to Seattle, Wash., San Francisco, Cal., and Port Townsend, Wash., \$2,840."

General LUDINGTON. I don't know anything about that except it was submitted in the estimates. As I remember it they were destitute citizens, and we incurred the responsibility.

The CHAIRMAN. You say you don't know anything about that?

General LUDINGTON. Except from the papers in the Department.

The CHAIRMAN. St. Michael's is at the mouth of the Yukon River, is it not?

General LUDINGTON. Yes, sir.

Mr. LIVINGSTON. They were parties that went up there and did not succeed in finding gold?

The CHAIRMAN. Would you write us a letter about that?

General LUDINGTON. Yes, sir.

The CHAIRMAN. You haven't paid anything of that kind yet, have you?

General LUDINGTON. No, sir.

The CHAIRMAN. I would like to be very fully informed as to the necessity of commencing that kind of thing.

Mr. LIVINGSTON. It may be that these men have been sent home by order of the Secretary of War.

The CHAIRMAN. I would like to have this matter exhausted. That transportation company that runs from Seattle and other ports there up to Alaska charges people for taking them up there, and I do not care about paying for bringing them back unless I am very sure that it is a proper expense for the Government to incur. There is legislation pending now for some revenues in that country up there. I would like to know about it. I wish, General Ludington, that you would look into this matter and exhaust it for us, as to the necessity or propriety for this appropriation.

General LUDINGTON. I will give you all the information I can.

WAR DEPARTMENT, QUARTERMASTER-GENERAL'S OFFICE,  
Washington, February 21, 1899.

Hon. J. G. CANNON,

*Chairman Committee on Appropriations, House of Representatives.*

SIR: Referring to estimate of appropriation required for transportation of destitute citizens from Alaska, appearing on page 12 of House Doc. 185, I have the honor to report that said estimate was submitted in compliance with instructions contained in indorsement by the honorable Secretary of War of January 17, 1899.

The sum of \$2,340 therein called for is required for payment of accounts in favor of the North American Transportation Company, the British American Line, and various steamers plying between St. Michaels and Seattle, San Francisco, and Port Townsend, transmitted here for settlement.

The orders for the transportation appear to have issued by the commanding officer at St. Michaels, who, finding himself confronted with the question of disposition of a lot of destitute people, appears to have concluded that it was best to get rid of them there by providing them with transportation to San Francisco and elsewhere, rather than have them remain and possibly starve. There are none of the appropriations for this Department available for the payment of transportation of this character.

Respectfully,

M. I. LUDINGTON,  
Quartermaster-General, U. S. A.

### INDIAN AFFAIRS. (Page 62.)

#### MR. S. E. SLATER, FINANCIAL CLERK OF THE INDIAN OFFICE, APPEARED BEFORE THE COMMITTEE.

The CHAIRMAN. "To pay the expenses of purchasing goods and supplies for the Indian service and pay of necessary employees; advertising at rates not exceeding regular commercial rates; inspection, and all other expenses connected therewith, including telegraphing, \$3,500."

Your estimate for 1898 was \$40,000. The appropriation was \$40,000. There seems to have been no deficiency.

Mr. SLATER. Yes, sir; a deficiency of \$5,000 was created on that.

The CHAIRMAN. For 1898? Last year?

Mr. SLATER. Yes, sir.

The CHAIRMAN. Well, they have not gotten it yet. The appropriation for 1899 was \$45,000. The estimate was for \$45,000. What have you to say about the necessity for the increase?

Mr. SLATER. The necessity for it arises from the fact that the appropriation has not been sufficient to meet the obligations required of us by law. That appropriation, you see, is for a number of items—for advertising, inspection of goods and supplies and their purchase, and telegraphing and all others. We are bound under the law to advertise for everything over \$500, except in case of an exigency, and all purchases. There has been an increase in the advertising on account of the increase of the work in the Indian Office.

The CHAIRMAN. Has there been any increase of employees?

Mr. SLATER. That "employees" refers exclusively to employees engaged in the two warehouses—one in New York and one in Chicago—engaged in the work of purchasing and shipping goods. It applies nowhere else at all.

The CHAIRMAN. Has there been any increase there at all?

Mr. SLATER. Some; the warehouse in Chicago, instead of being a temporary concern, as it has been for three months in a year, is now a permanent concern. That has been rendered necessary by the amount of business.

The CHAIRMAN. Does that explain this additional \$3,500,000?

Mr. SLATER. Some of it, and some of it is increased advertisement.

The CHAIRMAN. How much of it?

Mr. SLATER. It would be difficult to say just how much. The advertising for the

fiscal year 1898 was probably \$12,000. The cost of inspection of goods was \$12,000, and the two warehouses in New York and Chicago will aggregate about \$20,000. Altogether there is in sight \$47,000.

The CHAIRMAN. That is for 1898 or 1899?

Mr. SLATER. 1899. There was a deficiency given us last year of \$5,000, and that was not sufficient. Some \$700 will have to go up, I suppose, on certified claims in the way of advertising.

The CHAIRMAN. "Necessary expenses of transportation of such goods, provisions, and other articles for the various tribes, including pay and expenses of transportation agents and rent of warehouses, \$50,000."

Your estimate was \$300,000, and the amount appropriated for 1899 was \$300,000. And in addition to that you got—what was the appropriation we gave you there?

The CLERK. "That from and after the passage of this act Indian goods and supplies shall be transported under contract as provided under act of March 3, 1877, or in open market, by common carriers, as the Secretary of the Interior in his discretion shall determine."

That was enacted last July.

The CHAIRMAN. You recollect the enactment of that legislation. It was supposed it would decrease this expenditure.

Mr. SLATER. The legislation was asked for and put in as a matter of precaution. Under the old law we were compelled to advertise and let transportation to the lowest bidder. A year or two ago the Department thought there was a combination of bidders, and they were helpless to remedy it, and so this legislation which gave the discretion to the Secretary was obtained, but it was obtained too late last year to act upon it. They were making contracts in May and June.

The CHAIRMAN. Then you had to submit to the combination for the present year?

Mr. SLATER. Yes, sir; if one existed.

The CHAIRMAN. And you have not gone into the open market?

Mr. SLATER. Not yet. It is fair to say that the rates were lower this current year than they were the year before—some 8 or 9 per cent.

The CHAIRMAN. This amount, then, is represented by an increase of business?

Mr. SLATER. The estimate was not sufficient. The estimate is made in the Indian Office and then revised, and the judgment of others seemed to be that \$300,000 was sufficient, but we got \$75,000 deficiency for the year before.

The CHAIRMAN. 1898?

Mr. SLATER. Yes, sir. But this year it will not take any more, if as much.

The CHAIRMAN. And that made \$350,000 for 1898, and this is an estimate of \$350,000 for the current year?

Mr. SLATER. Yes, sir; and I am satisfied that will meet all demands against it.

The CHAIRMAN. What have you to say about this next item?

Mr. SLATER. The contingent fund is charged with a great many expenditures—for traveling agents and pay of employees, for instance. In making an examination since that estimate was made, a month or more ago, I think that can be reduced, and I would say it could be reduced to \$2,000 if it were not for one thing. We are afflicted with the smallpox in two or three Territories, and in some places the ravages are quite great, and we have no money at all in some places, unless this contingency fund, that can be used for that purpose. The disease has come up from Arizona and New Mexico to the Territory; and if it were not for that this estimate could be reduced.

The CHAIRMAN. From \$5,000 to \$2,000?

Mr. SLATER. From \$5,000 to \$2,000; yes, sir.

The CHAIRMAN. And as it is, to what can it be reduced?

Mr. SLATER. I am willing to say reduce it anyhow. I think we can get along.

The CHAIRMAN. To \$2,000?

Mr. SLATER. Yes, sir. If it were not for the contingency I speak of I do not think any contingency fund would be necessary.

The CHAIRMAN. What is that for, "For support and civilization of Digger Indians of California, and for locating them on lands purchased for them by the Government, \$500?"

Mr. SLATER. That is for continuing a work there in California. It is thought that a small appropriation will be needed to finish this. That is an appropriation begun originally, I think, by Mr. Caminetti, on a little land that was bought for those Indians. We have a man there at a small salary, and the work has been going on very slowly.

The CHAIRMAN. When are you going to get through?

Mr. SLATER. Well, I suppose if we do not get through by next year there is no telling when they will get through. We have a farmer there at \$720 a year doing a little work, but it is very slow.

The CHAIRMAN. I do not know whether it is more for the benefit of the farmer or the Indians.

Mr. SLATER. He can not get much out of \$720. They are a very superstitious people, and this is to get them located.

The CHAIRMAN. "For continuing the work of the Commission under the act of Congress approved June 10, 1896."

This commission has continued up to the present time, has it?

Mr. SLATER. Yes, sir.

The CHAIRMAN. This is to pay for what has been done, then?

Mr. SLATER. On the 1st of April they are to go out of existence, I think. I think this was in the Indian bill. This is April.

The CHAIRMAN. The 1st of April next?

Mr. SLATER. Yes, sir.

The CHAIRMAN. Is it not provided for in the Indian bill?

Mr. SLATER. I have not seen it. There was something in it about it. I think it limited their term of office, Mr. Chairman, and I think this is to provide. It is not in the deficiency estimate. I did not bring any papers with me.

The CHAIRMAN. It says to be available for the payment of salary and proper expenses of said commission from and after the date when the appropriation of \$15,000 made by the act of July 1, 1898, was exhausted. You do not know when that was exhausted? I wish you would examine when you go back to the office and let us know whether this is cared for in the Indian bill, and if it is not cared for, the amount of money that is necessary to care for the service in connection with the provisions of the Indian bill and write us a letter, and we would like to have it, if we can, to-day.

#### DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

*Washington, February 21, 1899.*

Hon. JOSEPH G. CANNON,

*House of Representatives.*

SIR: Referring to your informal request for information in regard to an item in the urgent deficiency bill appropriating the sum of \$4,500 for the Crow, Flathead, etc., Indian Commission, I have the honor to state that on December 10, 1898, this office recommended that an appropriation in the sum above mentioned be made in the urgent deficiency bill to pay the expenses of said commission up to April 1, 1899, the date to which said commission was continued by the act of July 1, 1898 (30 Stats., p. 571).

The correspondence on the subject will be found in House Document No. 76, Fifty-fifth Congress, third session.

The appropriation under which the commission has been working was sufficient to pay the expenses of the commission up to about the 1st of December last, and the appropriation of \$4,500 asked for is to meet the expenses of the commission to April 1 next, when it expires by limitation unless continued by the present Congress.

I trust the foregoing will be sufficient to give you all the information you desire upon the subject.

Very respectfully,

A. C. TONNER,  
*Acting Commissioner.*

#### LIBRARY OF CONGRESS.

#### MR. THOMAS G. ALVORD APPEARED BEFORE THE COMMITTEE.

The CHAIRMAN. "For contingent expenses of the Library, including the copyright business, \$500."

Mr. ALVORD. Yes, sir. We have in the regular bill \$1,500, and every year we have to come and ask for \$500 extra, and this is the usual performance.

The CHAIRMAN. Have you any left?

Mr. ALVORD. We have about \$200 left and fixed charges that will take that up.

#### INDIAN DEPREDAATION CLAIMS.

#### MR. J. G. THOMPSON APPEARED BEFORE THE COMMITTEE.

The CHAIRMAN. "Defense of Indian depredation claims. For salaries and expenses in defense of the Indian depredation claims, \$3,000."

Mr. THOMPSON. Yes, sir; the ordinary appropriation is \$52,000. This is in addition.

The CHAIRMAN. It was \$52,000 in 1898, and \$52,000 in 1899. Now you submit an addition of \$3,000?

Mr. THOMPSON. Yes, sir.

The CHAIRMAN. And you are doing more work than has formerly been done in the field?

Mr. THOMPSON. A great deal more.

The CHAIRMAN. More this year?

Mr. THOMPSON. Yes, sir; the last report, 1897, shows the notes taken in 383 Indian depredation cases. The report this year shows the evidence taken in between 1,000 and 1,100. There is that difference in the progress of the work in the last year.

The CHAIRMAN. In a general way, let me ask you, with the settlement of questions touching these claims in the courts, whether you are making better progress?

Mr. THOMPSON. Oh, very much better. There are many more cases tried than have formerly been tried, and very much more evidence taken in cases than has heretofore been taken.

The CHAIRMAN. Suppose we do not put in this \$3,000; it means you will have to discontinue somebody in the field?

Mr. THOMPSON. We will have to discontinue the field work entirely on the 15th of March until the beginning of the next fiscal year.

The CHAIRMAN. Then pick up and commence where you left off?

Mr. THOMPSON. Yes, sir.

Mr. ALLEN. I want to ask you how many of these cases are yet to be disposed of. Is there any end to it?

Mr. THOMPSON. Yes, sir. It is a very hard matter to tell exactly how many cases there are left to be disposed of, for the reason that when the court decides a case in which they hold that a certain Indian tribe at a certain period were not in amity with the United States, that includes all those cases in that period, and we find them as we reach them. So it is difficult to tell exactly how many cases are included in one of those decisions. My judgment about the matter is that, with the increase of work, we will practically dispose of Indian depredations in about four or five years.

The CHAIRMAN. What amount of judgments are they getting?

Mr. THOMPSON. Well, on this appropriation the number of judgments will be greater than they were before, on account of the increase of work in the settlement of these questions, and will run approximately 400,000. In my judgment, next year the number of judgments will be doubled, from the fact we have reached the point where we are beginning to try cases instead of settling little points. Those judgments are very much reduced from the amounts claimed. I can not give you the exact percentage, but if you will notice the judgments sent over here you will notice the amount given is very much less than the amounts claimed. But, necessarily, the work done and that will now be done will increase the number of judgments, and of course when the number of judgments is increased the total amount will be increased.

## DEPARTMENT OF JUSTICE.

### STATEMENT OF HOWARD PERRY, CHIEF OF DIVISION OF ACCOUNTS, DEPARTMENT OF JUSTICE.

The CHAIRMAN. Furniture and repairs, \$250?

Mr. PERRY. All those items under the head of contingent expenses, Department of Justice, were carefully estimated for by the chief clerk before he left the city.

The CHAIRMAN. Stationery, \$600. You say that these matters were carefully prepared and this is the amount?

Mr. PERRY. Yes, sir.

The CHAIRMAN. Miscellaneous expenditure?

Mr. PERRY. \$2,000.

The CHAIRMAN. That is a little reduction under last year.

Mr. PERRY. Yes.

Mr. BARNEY. Law books.

Mr. PERRY. One hundred and ninety-eight dollars and thirty-five cents. All the contingent expenses are needed by the Department.

Mr. BARNEY. The next is the item at the bottom of page 69, "Defending suits in claim against the United States."

Mr. PERRY. This estimate was made by Mr. Pradt, and I anticipate that he will be here.

Mr. LIVINGSTON. What about the French spoliation claims?

Mr. PERRY. That is a deficiency item. Mr. Pradt has charge of that matter. He is the Assistant Attorney-General.

Mr. LIVINGSTON. Can you explain it?

Mr. PERRY. From the statement made to me by him the matter was prepared and it was intended to carry through and prepare cases properly and keep the people in the field.

Mr. BARNEY. Are those the French spoliation claims?

The CLERK OF THE COMMITTEE. It is for expenses of defending the suits in the Court of Claims.

Mr. PERRY. They were incorporated with the suits. They are all suits against the United States.

Mr. BARNEY. There is an item on page 70, middle of the page, for the reimbursement of Tyre Glenn, late United States marshal for the western district of North Carolina.

Mr. PERRY. That is a very peculiar case. Mr. Glenn expended \$409 in arresting moonshiners who were severely wounded during the arrest and a great band of their friends were present to rescue them, and extra guards had to be employed at a cost of \$500. The bill was presented to President Cleveland at the time, but under a misunderstanding the bill was only approved for \$60. The Department has prepared the matter for reconsideration, and it was suggested to the committee that it be placed in the deficiency bill. Guards were employed not to keep the wounded prisoners from escaping, but to prevent rescue by their friends. The money has been disbursed by Mr. Glenn.

Mr. BARNEY. Was he originally authorized to expend \$500 in making the arrests?

Mr. PERRY. Yes, sir; and the expenses connected therewith.

Mr. BARNEY. That is, he was authorized through the law department?

Mr. PERRY. Yes, sir; I have the letter here with reference to it which I suppose need not go into the record. It was impossible to allow it in a fee bill and give him the pay for deputies in making the arrests. He gave two men \$150 apiece, and the balance was spent in the employment of guards to prevent the rescue of the prisoners and not the escape of the prisoners. He has been out of the use of his money for several years.

Mr. BARNEY. How did it come that it was audited for only \$60?

Mr. PERRY. There is no special provision in the fee bill for its payment, and it was referred to the President. Here is Mr. Cleveland's indorsement on the bill to "disallow except as to three guards at \$10. Allowed at \$60." We have prepared a letter to resubmit it to the President.

Mr. BARNEY. What explanation have you to offer as to the mistake? According to your statement Mr. Cleveland must have misapprehended the case.

Mr. PERRY. He understood the guards were employed to keep the wounded prisoners from escaping, but that was not the case. It was to prevent their rescue by their friends. These two deputies took their lives in their hands in effecting the capture of those men.

Mr. BARNEY. I think that the bill should be restated to the Executive again.

Mr. PERRY. Yes. In some way or other it has been delayed, and Mr. Glenn wrote to the Department and asked that the matter be again taken up. It was such a just claim that the Attorney-General submitted an estimate to the Committee on Appropriations so that it might be paid.

Mr. LIVINGSTON. For what were the two men paid \$150?

Mr. PERRY. That was in the nature of a reward. They were paid no fees in connection with the case.

Mr. BARNEY. Were those men finally convicted?

Mr. PERRY. They were. It was back in 1893.

Mr. LIVINGSTON. It appears to be all right.

Mr. BARNEY. Yes.

Mr. PERRY. The correspondence is very interesting, if you should wish to take up your time in hearing it.

Mr. BARNEY. I think that is not necessary. Explain the next paragraph—payment for legal services in circuit courts of appeals.

Mr. PERRY. You will remember that the Supreme Court decided in the cases of Winston and Garter that United States attorneys appearing before courts appeared as district attorneys and were entitled to compensation. This matter was included in the bill last year. These claims are now before the Department, and I forget the exact amount. After the salary bill was passed it provides in another form to pay for this service.

Mr. LIVINGSTON. In other words, this is for extra work?

Mr. PERRY. Yes; in many cases performed out of the district. They might have followed cases to the circuit court of appeals, perhaps, in San Francisco.

Mr. BARNEY. You say the Supreme Court of the United States decided that these were not included in the work for which they receive fees?

Mr. PERRY. Yes, sir; they were allowed fees in the cases.

Mr. LIVINGSTON. Can you cite those cases?

Mr. PERRY. The Winston and Garter cases appeared about 169 United States Supreme Court Reports. I do not know that that is the exact number. We have a number of these claims for work done under direction of the Attorney-General. Under the law we have no right to employ others. The Supreme Court decided that

they were not performing the ordinary work in appearing in the circuit court of appeals.

Mr. BARNEY. But were appeals taken from the courts where the cases had been tried?

Mr. PERRY. In some cases that is true. In other cases they were on appeals taken from the court over which they had no jurisdiction.

Mr. BARNEY. Does not the fee bill provide for a per diem in court?

Mr. PERRY. No, not any longer.

Mr. BARNEY. Did not it so provide at that time?

Mr. PERRY. Yes; but not in the circuit court of appeals, so the Supreme Court says.

Mr. BARNEY. Do I understand that, in these cases of the United States, district attorneys have acted since they received salaries?

Mr. PERRY. Yes, sir. Mr. Brandenburg is now here, representing Mr. Pradt.

Mr. BARNEY (to Mr. Brandenburg). Will you explain the item at the bottom of page 69, defending suits in claims against the United States—the French spoliation claims?

Mr. BRANDENBURG. This \$6,000 is required to carry on the business in the Court of Claims for the next fiscal year. The amount asked for is absolutely necessary, \$6,000.

Mr. BARNEY. We had appropriated \$40,000.

Mr. BRANDENBURG. Yes, sir.

Mr. BARNEY. What is the reason for the deficiency?

Mr. BRANDENBURG. There were some unusual cases. For instance, there was one patent case in which we had to employ an expert, and in which the fee was over \$1,000. We have sent one of the attorneys-general to San Francisco. That is one of the cases. In the letter-carrier claims we expected that they would be finished, but owing to the filing of the supplemental claims it necessitated the employment of commissioners, which were paid out of this appropriation. There have been numerous requests to take testimony in cases before the Court of Claims.

Mr. BARNEY. This item is all for expenses of obtaining evidence?

Mr. BRANDENBURG. Yes, sir. For taking evidence and the employment of special assistants.

Mr. BARNEY. Special assistant attorneys-general?

Mr. BRANDENBURG. Yes, sir.

Mr. LIVINGSTON. Are any of them in the office?

Mr. BRANDENBURG. Some are in the office and some in the field. This appropriation covers all the expenses in the Court of Claims.

Mr. LIVINGSTON. Do you mean to say the assistant attorneys-general in the office do not do this work unless they get paid for it?

Mr. BRANDENBURG. They are paid nothing additional.

Mr. BARNEY. It would not carry the expenses of attorneys-general, but is used in the defraying of expenses in the matter of taking evidence in suits in the Court of Claims?

Mr. BRANDENBURG. It is defending suits in the Court of Claims.

Mr. BARNEY. It is not a very happy wording.

Mr. BRANDENBURG. I think this same provision has been inserted year after year. I do not think there has been any change in the language.

Mr. BARNEY (to Mr. Cannon). During your absence we have been examining the paragraph with reference to defending suits in claims against the United States, and we think it should be allowed.

Mr. CANNON. If you approve it, we will let it stand.

Mr. PERRY. These were claims of district attorneys authorized by the Attorney-General, and at that time it was perfectly proper. He could have employed other people. In some cases the district attorney appeared in cases in which he had appeared before and in other cases he had no interest. There will be no more claims of this character, because under the provision of the salary bill it states that this shall include services in the court of appeals. These claims arose prior to the passage of that act.

Mr. LIVINGSTON. Mr. Barney and I think it ought to be paid.

The CHAIRMAN. We will take up the next item, payment William H. White for legal services.

Mr. PERRY. This claim arose from a case which was tried in Norfolk, Va., in which men were sentenced to be executed. They tried the case in the Supreme Court. The district attorney again appeared in the Supreme Court and received no compensation. Mr. White, formerly district attorney, went out of office and when the case was pending he was employed by the Attorney-General to see that no injustice was done.

The CHAIRMAN. You have got no general fund?

Mr. PERRY. No, sir.



The CHAIRMAN. He is a special attorney?

Mr. PERRY. He appeared before the Supreme Court. There must be specific appropriation made for their payment. He was not the special assistant to the United States attorney in the case. He was specially employed to appear in the Supreme Court. These men were executed, and it seems to me this ought to be allowed.

The CHAIRMAN. Chesapeake and Ohio Railroad Company.

Mr. PERRY. This is a remnant of the old strike in which it was impossible for the railroad company to put in vouchers.

The CHAIRMAN. Is this the Chicago strike?

Mr. PERRY. Yes, sir.

The CHAIRMAN. Is this the last of it?

Mr. PERRY. I hope so.

The CHAIRMAN. Reimbursements to I. Wheeler Brandow and C. V. A. Blauvelt.

Mr. PERRY. This is for the reimbursement of two sheriffs who transported some prisoners. As they are not deputy marshals, we can not pay them.

The CHAIRMAN. The next item is payments to John H. Koogler for preparing and conducting prosecution against Tillman C. Chance in the Indian Territory.

Mr. PERRY. I do not think the Department of Justice presented that case. It is not familiar to me.

### UNITED STATES COURTS.

The CHAIRMAN. Payment of salaries, fees, and expenses of United States marshals and deputy marshals.

Mr. PERRY. We asked for \$200,000. We stated what we would not need this year when we appeared before you in the sundry civil bill.

The CHAIRMAN. Explain these provisions?

Mr. PERRY. The first one is to provide that the deputy marshal shall deliver up all processes in his hands unserved when he goes out of office. We have had considerable difficulty because the law as it stands at present allows the outgoing officer to receive fees for all unserved processes in his hands when he retired, and there is no provision of law which requires him to deliver them up. Under this provision we could disallow those fees.

Before the third district was established in the Indian Territory the law provided that any United States marshal, whether in Washington or the District of Columbia, could come in and arrest prisoners, but now they have a provision of law to cover that.

As to the third one, the case of Abner Gaines, United States marshal in Arkansas, he served for a short time without compensation, because there was a vacancy, and this is to pay him for that time. You made a general provision about this, but it does not cover this case.

The CHAIRMAN. Similar cases have occurred?

Mr. PERRY. Yes, sir. The next one is the case of Mr. Evans, deputy marshal in Baltimore. He appointed no deputies at that time. Under the decision of the Comptroller the deputies went out with the marshal. The marshal retained his old deputies for some little time, because it was impossible to secure the men he wanted. They were not deputy marshals under the law, and received no compensation.

The CHAIRMAN. They were appointed after July, 1898 (reading the provisions).

Mr. PERRY. There were no deputies employed at that time in their places.

The CHAIRMAN. The next is the case of Houser, United States marshal for the district of Oregon.

Mr. PERRY. In the act of May 28, 1896, it provided for double fees for the State of Oregon, but it did not state it was for any year except the one for which provision was made. Under a misunderstanding he went ahead and paid the deputies double fees. He has disbursed this and it has been disallowed in his accounts. It is \$1,300. We ask for no specific amount.

The CHAIRMAN. This is legislation by the wholesale.

Mr. PERRY. These are payments such as have been made in this bill.

The CHAIRMAN. The first proviso is not.

Mr. PERRY. That is simply to save the Government fees that would be payable from this appropriation. We have had considerable difficulty with some deputy marshals. They gather in processes just as the marshal is going out of office and keep them on hand, serving them for months and months.

Mr. BARNEY. Is this paragraph subject to a point of order?

The CHAIRMAN. I think so.

Mr. BARNEY. The first one clearly is.

Mr. PERRY. The first and second are, but not the others.

The CHAIRMAN. I think they all are.

Mr. PERRY. The cases of Evans and Houser are not.

The CHAIRMAN. It seems to me so—that of Houser clearly is. He paid deputies double fees against the law.

Mr. PERRY. Yes; under a misunderstanding.

The CHAIRMAN. I suppose it will require this amount of deficiency.

Mr. PERRY. Two hundred thousand dollars; yes, sir. If we do not have that we can not run through the fiscal year.

The CHAIRMAN. Still, we gave you what you wanted.

Mr. PERRY. Yes; but we endeavored to cut down a little too far last year in order to be economical.

The CHAIRMAN. Salaries, United States district attorneys and their regular assistants, \$8,000.

Mr. PERRY. It is \$6,000 for one and \$15,000 for the other. That we need for the present year. The same thing is true of fees of jurors.

The CHAIRMAN. What about the proviso at the bottom of page 73?

Mr. PERRY. If you put that in we will not have to come for money for attorneys appearing before the Supreme Court. That is simply a decision of the accounting officers in the Treasury. They say the attorney has no right to come to Washington to consult with the Attorney General. You will find a little item further down on the bill in reference to Mr. Beck. We had to employ special assistants to the Attorney-General.

The CHAIRMAN. It is legislation.

Mr. PERRY. It seems to me it is the same kind of legislation which has been done before.

The CHAIRMAN. Fees of jurors?

Mr. PERRY. One hundred thousand dollars.

The CHAIRMAN. In other words, you estimated for \$100,000 too little.

Mr. PERRY. Yes; in order to endeavor to be economical. As to jurors and witnesses, we can not estimate it exactly.

The CHAIRMAN. Fees of witnesses for 1899, \$300,000?

Mr. PERRY. That is a careful calculation of the amount necessary to carry us through the fiscal year.

The CHAIRMAN. Can you not hold a check on them?

Mr. PERRY. We have reduced that considerably. If you will look at the amount for 1894, 1895, and 1896, I think you will see that we have brought it down considerably.

The CHAIRMAN. That is right. For 1896 it is an ascertained amount?

Mr. PERRY. Yes, sir.

The CHAIRMAN. Support of United States prisoners for the fiscal year 1899, \$20,000. That is required?

Mr. PERRY. Yes, sir.

The CHAIRMAN. For 1894 and 1896 the amounts are ascertained?

Mr. PERRY. Yes.

The CHAIRMAN. Penitentiary, Leavenworth, Kans., for subsistence?

Mr. PERRY. That is based on the increased number of prisoners.

The CHAIRMAN. Fuel, forage, etc.?

Mr. PERRY. That is the actual amount necessary, in view of the large increase in the number of prisoners.

The CHAIRMAN. Hospital supplies?

Mr. PERRY. If you are going to do anything with the salaries and expenses of district attorneys, page 73, there ought to be a slight amendment.

The CHAIRMAN. Page 78, pay of bailiffs?

Mr. PERRY. There was a little mistake in our estimate. The words "and criers" should be kept in.

The CHAIRMAN. We have abolished criers.

Mr. PERRY. Yes; but this is a deficiency.

The CHAIRMAN. For payment of bailiffs and criers you want the language "not exceeding three bailiffs and one crier?"

Mr. PERRY. Yes, sir.

Mr. LIVINGSTON. Why do you make this exception in New York?

Mr. PERRY. I would have to go back a long way to find that out.

Mr. LIVINGSTON. You have got no reason for keeping it in here?

Mr. PERRY. I anticipate that you would have every judge in New York State and New York City here, should it not be allowed. They think it is absolutely necessary to have it.

The CHAIRMAN. How long has it run in the appropriation?

Mr. PERRY. A good many years.

The CHAIRMAN. Bailiffs, etc.?

Mr. PERRY. We need that. We have to estimate these deficiencies to run to June 30: otherwise the courts will be at a standstill.

The CHAIRMAN. Miscellaneous expenses as may be authorized, etc., for 1899, \$25,000?

Mr. PERRY. Yes; those are small.

The CHAIRMAN. The next items are ascertained amounts?

Mr. PERRY. Yes, sir; as represented by the marshals in the different cases. We have sent all over the country to find out the items.

The CHAIRMAN. Those are accounting officers?

Mr. PERRY. No, sir; the accounts are kept in the hands of the marshals awaiting payment.

The CHAIRMAN. Payment of assistant attorneys-general.

Mr. PERRY. Three thousand dollars.

The CHAIRMAN. What is that for?

Mr. PERRY. That is for the payment of Mr. Milchrist, of Chicago. There is no money to pay it and we had to ask a deficiency.

The CLERK. There is another item which came in since the bill was printed.

The CHAIRMAN. Two hundred and thirty-six [reading provision].

Mr. PERRY. This man, Mr. Crane, was sent to Dry Tortugas during the Spanish war. There was nothing from which we could pay his expenses, and we had to ask for it in this way. Otherwise these prisoners would not have been transported.

The CHAIRMAN. What is the next?

Mr. PERRY. The payment of Mr. Beck, who was employed by the Attorney-General to take charge of a case against the United States.

The CHAIRMAN. Who is Mr. Beck?

Mr. PERRY. He is United States attorney in the city of Philadelphia.

The CHAIRMAN. What is the next?

Mr. PERRY. That is a claim presented by a marshal in 1896.

The CHAIRMAN. What about that proviso?

Mr. PERRY. That is a decision of the Comptroller. We authorized the marshal in California to send some prisoners to Boston. The Comptroller ruled as the prisoners were transported on a writ of removal the expenses ceased after they had arrived at their destination, and the amount paid by this man was disallowed. We can not pay it unless you make a provision of this character. It is a hardship on the marshal and the deputy. He actually performed the services and expended this amount of money.

DEPARTMENT OF JUSTICE,  
OFFICE OF THE SOLICITOR-GENERAL,  
Washington, D. C., February 21, 1899.

Hon. JOSEPH G. CANNON,

*Chairman Appropriations Committee, House of Representatives.*

DEAR SIR: I am especially interested in the allowance by your committee of the items recommended by the Attorney-General to pay Mr. Beck, of Philadelphia, and Mr. White, of Norfolk, for services in the Supreme Court. I think the amount recommended for Mr. Beck is \$750, and that for Mr. White \$500. Mr. Beck appeared in the Beck case—a diamond smuggling case; and Mr. White in the Andersen case—one of murder on the high seas. Both were exceptional cases. The Beck case was three times argued before the Supreme Court; the Andersen case twice. The Beck case turned not on a question of law, but on a mixed question of law and fact; and therefore it was necessary to have Mr. Beck, who had tried it in the court below, to assist in the argument in the Supreme Court. The case was recently decided, and the court was as evenly divided as it could be.

In the Andersen case the necessity of Mr. White's appearance in the Supreme Court arose from the allowance by the United States district judge of a writ of habeas corpus upon the allegation that the prisoner had been denied the assistance of counsel of his own selection in his defense. The facts upon which this charge was based were outside the record, and peculiarly within the knowledge of Mr. White. For that reason the Attorney-General brought Mr. White here.

Neither Mr. Beck nor Mr. White was required in the discharge of his duty as United States attorney to assist the Attorney-General in the argument of cases in the Supreme Court. They were, therefore, brought here as private individuals, as special assistants to the Attorney-General, and should be compensated as such. I am sure that when you understand the matter you will see that they are properly compensated. I feel an interest in this, because these two cases were peculiarly under my charge, and I feel under obligation to do what I can to see that Mr. Beck and Mr. White are paid for their services. The compensation recommended is very moderate for the service given.

Yours, very truly,

J. K. RICHARDS,  
*Solicitor-General.*

## MEDICAL DEPARTMENT, UNITED STATES ARMY.

## STATEMENT OF BRIG. GEN. GEORGE M. STERNBERG, SURGEON-GENERAL.

The CHAIRMAN. You have a written paper which will be inserted in the record. Has there not been some change in the condition which would cut these items out?

General STERNBERG. I have got a statement showing what we have left from the other deficiencies. All the money is spent now with the exception of \$1,900,000, and we have bills which have to be settled and which are now in the office amounting to \$750,000. And then here is an estimate for this bill I speak of, which you say you can not allow, for the purchase of medical supplies, for the necessary employees, and so on, for the balance of this six months, and we estimate it will amount to \$1,500,000.

The CHAIRMAN. That is in addition to the amounts you have mentioned?

General STERNBERG. It is in addition.

The CHAIRMAN. So that it will be \$800,000?

General STERNBERG. Yes. This paper is made by the clerk in charge.

The CHAIRMAN. You estimate \$3,050,000, while your deficiency is \$1,500,000, which was appropriated for last year, and that leaves \$1,500,000 which you will need?

General STERNBERG. Yes, sir.

The CHAIRMAN. This is a revision of the estimate which you submit?

General STERNBERG. The appropriation asked for was \$1,800,000.

The CHAIRMAN. On this revised estimate which you put in here the amount, instead of being \$1,800,000, is \$1,150,000.

General STERNBERG. Yes, sir.

The CHAIRMAN. If there be no legislation for the payment of claims for medical services rendered sick soldiers while on leave of absence or furlough, \$200,000 of which are on file and \$600,000 estimated to be due, making \$800,000, in the absence of legislation or appropriation for this, it will take \$1,050,000, and it could be decreased by \$800,000, and this would leave the appropriation at \$350,000, excluding those two items?

General STERNBERG. Yes, sir.

General Sternberg submitted the following papers:

There are now available and at the disposal of the Medical Department for the fiscal year ending June 30, 1899, in round figures.....		\$1,900,000
It is estimated that there are now accounts in this office awaiting settlement amounting to .....	\$750,000	
There are also claims in this office for medical services rendered to sick soldiers while on leave of absence or furlough, amounting, it is estimated, to.....	200,000	
Which are increased by the receipts of further similar claims, amounting to 30 or 40 a day, and will amount, from present indications, at end of the fiscal year to probably.....	600,000	
I also estimate that other accounts for purchases of medical and hospital supplies, for the pay of necessary employees, of trained nurses, and other expenses connected with the Medical Department, and contracted during the present fiscal year will be presented, amounting to .....	1,500,000	
		<hr/> 3,050,000
Deficiency .....		1,150,000

This estimate, it is believed, is very reasonable, and even should the deficiency estimated, now before Congress, amount to \$1,800,000, leave a surplus and not be all required by the Medical Department, the balance would, of course, at the end of the fiscal year revert to the United States Treasury.

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